

Immigration and integration laws in Denmark

A study on “ghetto” legislation and its sociological impact on the Danish society



Sat ud, by Erik Henningsen (1892)

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Abstract

A starting point for this study reports to the long-standing and rising immigration-related binaries and social tensions visible and heartfelt in Danish society.

This thesis aims at examining the political and social stances regarding ghettoization policies - an agenda adopted not only to protect the “Danishness”, but mostly, with the intent towards solving issues, regarding ethnic minorities who fail to integrate, thus forming parallel societies.

The study focuses on problematizing not only the contents, but also the terminology present in specific bodies of legislation, which have been considered controversial, as to shed a light on several aspects regarding its sociological impact and the prospects of its implementation.

The study also extends to several interrelated questions surrounding the controversial theme of ghettos, which calls for a debate between matters of nationalism, security, integration and assimilation, moral dilemmas, amongst others, in order to answer several questions regarding immigration and integration policies and how their legal construction affects the people.

By drawing on the legislation and its social impact, this research also singles out the role of the civil servants, who are central figures in the process of making and implementing legislation.

Finally, the last chapter examines the interplay between actors – civil servants and their structures, in order to recognize their role and power in the process of policy-making.

Keywords: *Integration, assimilation, securization, nationalism, stigmatization, ghettos, human rights, political discourse*

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Introduction

Globalization has been a key factor in influencing the modern world and all of its aspects, from the economic field, down to the political, social and cultural scene, as it brought many cultures closer but also diffused them, by changing arguably homogenous societies into multicultural ones.

Whether it is a blessing or a curse, with open barriers and a global market in place offering plenty of job opportunities, many people sought out to improve their living situation by immigrating to another country.

Denmark has experienced many immigration influxes, which can be categorized through different periods. Each one of them, marked by different kinds of people and consequently many different kinds of immigration policies and discourses, which will be examined in this thesis.

However, despite its numerous transitions, Denmark faced an exceptionally important and remarkable period of time, named as the “golden era”, characterized by economic growth and a very low unemployment rate.

Yet, the system was quickly put under a lot of pressure, where benefits were reduced and the political discourse shifted largely, towards the roles and duties expected of each citizen representing the “ideal welfare state”¹. This meant that the ideal citizen should be “active” and interested in acquiring the right skills to, dutifully contribute to society through the labor market. This scenario led to these non-Western immigrants, being scrutinized regarding their contribution to the community.

During this time, the concept of being an “active citizen” came into question and the government then, became very concerned that certain minorities were not making enough of an effort, in terms of their role in society.

It was noticed that certain minorities, or at least many within their groups, were reluctant to gain knowledge regarding the Danish culture, language and traditional values, and also, not interested in contributing financially.

This of course, brought about a severe problem of mistrust for Danes, since it is deeply ingrained in their cultural roots that one should respect and abide by the local

¹Jønsson & Petersen, 2013: 170.

traditions and values, as well as, work hard and contribute equally to the welfare state system, through taxes instead of being “inactive” and reliant on social benefits.

In this context, Denmark, believes that in order to become a highly developed and progressive nation, there needs to be unity (cultural homogeneity) and social trust, which is acquired through the above mentioned.

To make matters worse, it appears that Denmark became highly aware and somewhat threatened by the influx of certain cultures and to what surely contributed to this are historical events, such as, the 9/11 in 2001, the Mohammed cartoon crisis in 2005 and the refugee crisis in 2015-2016. Indeed, Europe was shook up to the core by these events, not only, economically speaking, but also in terms of cultural identity.

Since then, the government demanded a deeper effort from every citizens’ role in society, in order to protect their “*danskhed*” (“Danishness”). To ensure that happened, the government became even more concerned with matters of integration, which led them to, not only create more policies and tighter provisions which made it more difficult to become a danish citizen but also, promoted an anti-immigration discourse to make Denmark as unappealing as possible.

This, indeed, had several repercussions especially when it comes to matters of social justice, as many immigrants, or even non-Western Danes seemed to believe they have been treated poorly and in an unfair manner by the system².

It has been proven that certain policies contribute to the creation of an identity vacuum³ within people who do not feel a sense of belonging in their environment, which will be demonstrated in the following sections of this study.

Given the above mentioned, it is evident that globalization and consequently immigration brought several concerns to the Danish society, that still remain in place to this day, and which have been a subject of debate by the government for several years.

Therefore, one of the governments’ main concerns over the years, has to do with their responsibility in creating policies which can best **integrate** people in society according to fair and equal measures, which will be defined and explained further ahead.

However, many argue that a change of approach in the political discourse regarding immigration and integration policies can be seen, especially during the election campaigns in 2001 and 2005 when certain parties appeared to be somewhat hostile to

² CERD, 2020 – “*Alternative report on Denmark 2020*”.

³ Hafez & Mullins, 2015:966.

immigrants and showed a lack of tolerance for them. This has happened, ever since a high number of non-Western immigrants, (especially of Muslim heritage) as well as, non-Western Danes who usually have a tough time integrating, decided to live and congregate in several urban areas, alienated from the rest of society.

This of course, posed a severe problem, as it affected deeply the standpoints of politicians, which dragged on throughout the years and was especially noticeable in some of the policies created in 2018. At that time, this situation exposed a widespread belief, that individuals of a particular ethnicity, “clumped” together, and in fact, established *parallel societies*.

More often than not, these individuals tended to stick to unequal beliefs like, some people not being allowed to marry who they loved due to their religious background and/or women being seen as less capable or even valuable than men. Such convictions along with issues of crime, poverty and lack of education, not only went against the danish traditional ideals and values, but also created dangerous areas.

Drawing on the above described context, this study is divided into three main sections. In the first part, many theories concerning the fields of sociology, law and political science will be presented, as to analyze and reflect upon the potential negative sociological impacts certain legislation can have on a community, in this case, the Danish community. Also, the theories which could reveal the thought process put into the process of policy-making, by those who make and implement said laws will be examined.

In the second part of this thesis, a critical and analytical stance will be adopted based on the empirical data, which reports to the use of: legal framework, and any other policy papers or even recent new government proposals, which opened me up to several other sub-questions. Those questions relate to how the current situation affects the ethnic minorities in the now, but also, how such strict measures could potentially affect Denmark in the future. They were also devised with the help of a practical method – the WPR, which will be thoroughly explained further on.

Lastly, the third part will consist in explaining the role and influence of those responsible for making and implementing legislation – national civil servants, and an insight will be provided into the interplay between these central figures and the government, in order to truly understand the process of policy-making.

Problem Formulation

This thesis takes on the political landscape and logic surrounding ghettoization policies and their social impact on people, but also, intends to gather insight into the role of the civil servants, who turn these ideals into legislation while gathering a perspective into their thought process during policy-making.

This is a particularly relevant subject because, these laws appear to be controversial, due to the negative sociological impact they bring upon the minorities living in ghetto areas, since they are the only ones being targeted by said laws.

This is one of the aspects of my research which I will explore, including certain linguistic aspects or terminology used in both the political discourse, as well as, in the legislation, which seems to collide with the international human rights, due to the use of potential discriminatory expressions and “othering” practices.

While this topic is not new, studies show that ethnic minorities, still have difficulties in fully integrating into Danish society, since the law may marginalize people solely on their culture, low income and criminal records, according to the Danish Institute for Human Rights. Furthermore, a more pressing issue relates to the fact that many families are currently being thrown out in the streets, due to the approval of plans for the demolition of the public social housing sector in these areas.

On a different note, I also share some of the concerns that Denmark, as a small and in many ways a specific country, could lose some of its core values in case it became too opened to other cultures and their values, in case there was a lack of strict and nationalistic regulation. As, currently in some of the ghetto areas, the percentage of immigrants with a non-Western background exceeds more than 60%.

Thus, I will be “mapping” several pieces of legislation, along with its recent new developments, with the help of theories within the field of sociology, law, political science, along with the WPR method, in order to understand their effectiveness and potential future-wise in establishing a united society or to conclude if it is a mere utopia.

Indeed, this is a very pressing matter, not for Denmark but also worldwide, since immigration happens across the world and matters of social justice are increasingly part of a global agenda, which should always be promoted anywhere and everywhere in order to maintain peace.

Therefore, this study contributes to the growing literature on the Danish ghettos as, so far, the governments' initiatives and strategies have not been much subjected to scholarly review, especially when it comes to the analysis of legislative materials pertaining to this subject, along with an insight on the role of central figures who make and implement said legislation.

The existing body of literature written in English, mainly focuses on how these measures could be unjustifiable and stigmatizing, due to the political discourse being discriminatory towards a specific ethnicity. These conclusions are mostly drawn from many social theories, which do not largely include a perspective made through the lens of sociology of law, along with the fact that their data is generally based on policy documents or reports from NGOs.

Other scholars, on the other hand, have demonstrated the logic and the effectiveness behind said policies, based on their empirical data, which does not really include a legal perspective based on specific pieces of legislation.

This thesis intends to cast a spotlight on different claims and perceptions embedded into the political discourse in combination with legislation, in order to make reflections on their sociological implications.

Therefore, this subject is of public interest since ghettos are often perceived and claimed as a threat to the Danish society. And, while perceptions are always subjective, depending on each person, my intention is to try and understand both sides of the question.

By studying the legal and social framework in relation to ghettos along with the resulting dynamics between the ethnic minorities in question *vs* the governments' decisions, I will be able to reach a conclusion, whilst keeping in mind that this subject is not so black and white.

Therefore, this thesis aims at answering the following main question, along with its sub-questions:

➤ ***Are integration laws a paradox regarding their sociological impact on people living in ghetto areas?***

Q1: *Integration Law in Denmark – what are the problems represented to be?*

Q2: *Ghetto Laws – what are the problems represented to be?*

Q3: *Compulsory daycare/school programs – what are the problems represented to be?*

Q4: *Creation of special criminal zones and doubling the punishment for them – what are the problems represented to be?*

Q5: *Social housing: sales and potential demolition – what are the problems represented to be?*

Q6: *Underlying problems regarding social housing – did they lead to civil unrest? What was the outcome?*

Q7: *Could the EU, UN or even the Danish Constitution block or hinder these policies – what is the problem represented to be?*

Q8: *There is a new proposal on the table to make amendments on the above mentioned policies – what are the problems represented to be?*

State of the Art

This chapter aims to examine bodies of legislation relating to ghettos, along with their sociological impact, from aspects of the work of other scholars within various fields, such as sociology, law and political science, who have already studied relevant subjects surrounding this political hot topic, namely the Ghetto Package.

There are already several articles in place, which critically study and conceptualize the evolution of the initiatives regarding the Danish “ghettos” from its starting point in 2004, along with its developments in 2010, 2013 and finally the last published “Ghetto Plan” in 2018. However, this study will only focus on the article which relates to the recent and current developments.

Jønsson & Petersen, have been connecting immigration influxes and relating them to the evolution of the Danish Welfare State, as well as explaining why in certain historical moments, integration and immigration laws needed to be implemented and redefined later on. They point out that much of the general discourse surrounding these laws, derives from historical incidents such as the 9/11 in the US or even the Danish cartoon crisis⁴ and how these series of events ended up having shed a negative light on foreigners which was also shown by the local media⁵.

- **What is a “ghetto”?**

Historically speaking, the first forms of forced segregations of Jews have been observed in Muslim countries since 1280, with extremely rigid systems of restrictions in place which later on spread through Europe.

However, the term “ghetto” originally derived from the Venetian verb *gettare*, meaning *to pour* or *to cast*, in 1516, as a reference to the northern part of Venice known as the “New Ghetto”. This particular part quarter was set apart from the rest of the city because the authorities legally compelled the local Jewish community to live in it, along with Christian watchmen. Soon after its success, the same model was ordered by a higher entity, who was the Austrian emperor and who ultimately wanted to create more ghettos, by spreading them out through other cities. Hence, the question arises, were

⁴ Aguis, 2013.

⁵ Andreassen, 2007.

ghettos created to put order in society or was it designed specifically to keep culturally different people out from the rest of society?

Customarily, the ghettos were created to restrict and contain through laws, the local Jewish communities apart from the rest of society, and every time they ventured out from the gates and walls, they were ordered to wear identification (yellow badge), which further ostracized them. However, on the inside of their community, they were free to practice their own religion and laws freely.

Nevertheless, ghettos were eventually abolished and dismantled in the late 18th century in Europe, only to be later revived, during the second world war. However, at that time, ghettos were established with a purpose more ominous than segregation as we know, which resulted into one of the worst events of all history, portrayed by hatred, genocide, mass starvation and diseases.

Despite the negative cloud attached to it, the term never went into disuse, even becoming mainstream during the 1960s, as it was used by African Americans “black/negro ghetto” to refer to their own residential spaces during a time when the US compelled them to live segregated due to crime, vices, poverty, discrimination and social pressure.

Though the original Jewish reference has been eclipsed, the term is still used to this day, despite the controversy that it stands for discrimination, racism, low-class, poverty, prostitution, poor education and deviant behavior from certain communities inhabiting urban areas. Hence, many researchers propose the abolishment of the word also because it once represented people with a lack of choice, who were forced to live under terrible circumstances, which we do not observe today as well as it is not right to categorize and put people into “boxes”.

- **Why are ghettos associated with “parallel societies”?**

In the ghetto laws, the concept of parallel societies is not defined. It is however, referred by the Ministry of Economy and the Interior (now as the Ministry of Social Affairs and the Interior) in a report called “*Parallelsamfund i Danmark*” (Parallel Societies in Denmark) as “places that are against the rights, obligations, democratic and liberal values that our society is built on...and they are fundamentally different”⁶.

⁶ *Parallelsamfund i Danmark*, 2018:7.

Moreover, the report touches the fact that “a parallel society is physically or mentally isolated, follows its own rules and norms without any significant contact to the Danish society and without the desire of becoming part of the Danish society”⁷.

In short, the government defines it as ethnic enclaves of “counter-culture”, consisting mostly of non-Western families, as shown and mapped in their data report, where people congregate without significant income, and refuse social or cultural contact with the surrounding society.

According to this report, the requirements used to designate ghetto areas (which will be presented in the section of the legal framework) have a major correlation with the depiction of people living in parallel societies. There is a clear focus on the segregation factor which the government deems as a “massive social problem” and restructuring/renewing those spatial areas, as mentioned in their long-term strategies.

However, the Ministry in question, also realizes that it is quite difficult to define whether people actually belong to parallel societies, as: “it is not possible to make safe arguments as to how many people from non-Western backgrounds live in parallel societies and a clear definition of when one belongs to a parallel society does not exist”⁸. In this regard,

Schmidt, agrees that these are insufficient claims. She argues that “it makes little sense to highlight one specific group as particularly characterized by parallel societies without having it compared to other groups of society in a way that actually relates to the definition of parallel societies”⁹.

- **Immigration and integration policies – a Paradox?**

Previous research on ghettos started within urban sociology, and the analytical focus in these studies was to understand and define a ghetto, by assessing the space and the inhabitants living in that space, while differentiating it from other forms of urban spatial separation. From an urban planning point of view the term ghetto and ghetto formation continues to be discussed from a variety of angles, however, most of them generally rely on the theories of Lefebvre in explaining how ghettos are formed also through space and temporal claims¹⁰.

⁷ *Parallelsamfund i Danmark*, 2018:1.

⁸ *Parallelsamfund i Danmark*, 2018:8.

⁹ Schmidt, 2018.

¹⁰ Özkirimli, 2010:205-218.

Later studies shed some light as to how stricter nationalistic policies can supposedly have an opposite, unintended effect. Scholars like Olsen or Larsen¹¹, who studied social-spatial structure of the *Vestegnen* area, along with the state's dynamic roles regarding it, have come to the realization that an area listed by the annual "ghetto list" has a massive stigma attributed to it¹². And it gets even worse if certain places are regarded as *hårde ghettoområder* (severe ghettos).

In his study, Olsen takes departure from Wacquant's social concepts of territorial stigmatization, which was developed to analyze the spatial disadvantaged urban areas of Paris, in which was concluded to be a process of emergence "advanced marginality" of certain groups in society and found neoliberalism to blame for this emergence¹³. On the other hand, Jensen actually refers to these areas and its surroundings as "two mutually exclusive zones" in relation to the welfare state¹⁴.

Many also argue that the word itself (ghetto), along with the concept of "parallel societies" has such a negative connotation, which clouds certain groups of people and marginalizes them from the rest of the society¹⁵

However, this marginalization has consequences due to its influence on the policies affecting these areas¹⁶. On this, Olsen also argues that as a result of territorial stigmatization, the implementation of special measures in these areas must be in place. The spatial limitation also paves the way for defining the "ghetto" as a problem and legitimizes the Danish government to justify special measures to facilitate urban renewal in these disadvantaged social housing areas¹⁷.

On the other hand, some scholars defend that these words operate as a new form of cultural racism because they further differentiate and segregate people¹⁸.

Jensen argues that such negative rhetoric is mostly delivered to people who identify of belonging to the Muslim faith. In his studies, he analyzed several Danish political parties such as the DPP¹⁹ which proved to be very exclusive and even

¹¹ Larsen, 2014:1380; Olsen, 2019:60.

¹² On this subject: Olsen, 2019; Larsen, 2014; Jensen & Christensen, 2012.

¹³ Wacquant, 2008:60-70.

¹⁴ Jensen, 2018:170-180.

¹⁵ Seeman, 2020; Barry & Sorensen, 2018; Bendixen, 2018; Bacchi & Goodwin, 2016.

¹⁶ Slater, 2017:110-125.

¹⁷ Olsen, 2019:62.

¹⁸ Hervik, 2015; Gilroy, 2004.

¹⁹ Danish People's Party.

xenophobic, but others as well, which adopted the essence of the same discourse to an extent.

Furthermore, in her studies, Simonsen states that the feeling of national belonging is important both for the indigenous society of a nation but also its immigrants.

She argues that this feeling of belonging causes a more established feeling of the self, but also, the environment where the individual resides will provide more security and emotional balance. Furthermore, studies have found that if individuals are excluded and denied an identity it: “(...) can be psychologically damaging and lead to frustration, anger, sadness, loss of meaning in life and depression.”²⁰

- **What are the possible justifications for these policies?**

Securization

However, maybe there is a rationale and a purpose as to why the government or even political party members keep on using negative connotations or creating policies which could divide a population.

Some could argue that the government along with political parties use it as a matter of securization (whether the focus is on crime, violence or simply the economy) and as a democratic sense of duty, by protecting a society from any existential or potential threats and securing a landscape by evaluating risk and consequently applying securization techniques like more policing and surveillance.

However, an important discussion derived from this subject, on knowing whether the sense of insecurity is a constructed concept²¹ or if it does, in fact precede any kind of threat²². Even though this makes for an interesting debate, I won't delve further into it, other than to state that, my point of view aligns more with Huysmans view. He agrees that our sense of security is constructive in a way, and what we construct is exactly what we perceive as reality.

Nevertheless, as of today, “migration has become synonymous with a new risk to the liberal world...” and if it is considered a potential threat, then the prevailing

²⁰ Simonsen, 2017:16.

²¹ Bilgin, 2013:90-95.

²² Huysmans, 2014:3.

securization discourse has foundations to protect the rest of the society on the grounds of “cultural difference”, due to the fact that immigrants are perceived as high risk²³.

Nationalism

Many agree that it has to do with the direct link between integration and the responsibilities that come with being integrated. Many politicians like Inger Støjberg, Martin Henriksen, Pia Kjærsgaard, Dan Jørgensen or Stram Kurs, as well as many other reputable members of Danish society have displayed concern over the fact that not only their cultural identity is at stake but also, their Welfare State.

This can be confirmed in studies conducted by scholars like, Simonsen or Eika who studied nationalism theory, and the people’s perceptions and boundaries which build a national identity, along with the main concern of protecting the *danskhed*. In their studies, Danes perceive that immigrants or non-Western Danes do not respect or care to know about the Danish culture, language and traditional values.

Yet, Rytter & Pedersen state that the change in discourse and the urgent sense of duty towards protecting the nationalism, came to dominate Danish politics especially after the 9/11, where the cultural anxiety reached a peak due to the fear of losing sovereignty, history, values or identity, so special regulation needed to take place with the purpose of curbing the immigration of Muslim immigrants.

On this matter, scholars have stated in their studies that certain immigrants’ culture, appears to be truly incompatible with the Danish values, therefore, by practicing a form of “othering” and by having a negative political discourse, along with very restrictive policies towards the residents of the ghettos, is a way to show how opposite they are in relation to the rest of the Danish society, and a way to validate and define the national identity²⁴.

Consequently, if one wants to become a Danish citizen it is possible, since Denmark is “perceived as historically fixed and can only accommodate the ones who make an effort to become Danish”²⁵. An increased awareness to have shared values is essential to preserve Danish society.

²³ Ibrahim, 2019.

²⁴ Simonsen, 2016:80-90.

²⁵ Jensen, 2016:70.

Therefore, having restrictive measures to prove one is fully integrated, is a process of ‘politicization of culture’, where culture has been deemed politically necessary for the continuity of the nation. On this matter, there could be room for debate on what is integration and is there a line between integration and assimilation?

Partial conclusions on previous studies

Ultimately, this puts the intentions or motivations behind policies into question. The argument will change, whether these policies were made to combat the elevated number of crimes in certain areas or if it was all a devious plan put into motion, to try and create disincentives or restrict immigration due to ulterior motives.

On this subject, Mouritsen & Olsen question whether such level of restrictiveness in the policies is a way of Denmark welcoming solely, people who initially populated the country, or is it following the perfectionist steps of other European countries in order to achieve a liberal paradigm of integration, by trying to “create liberal people of third-world Muslim immigrants.”

Nevertheless, it is easily understandable that immigrants have an asymmetrical power-play in comparison to the majority of the Danes²⁶. To make matters worse, recent studies conclude that this disparity reaches all age groups but is especially visible in children with a certain background, which was named as a ‘deprivation paradigm’²⁷.

Also, according to the sociologist Troels Larsen²⁸, the ghetto list does not solve the existing structural problems, like poverty, labor or house market. Instead, he argues that it is a counter-productive solution as it creates even more unsafety, disparity and stigmatization.

He also debates whether it is wrong of the government to even name these areas as ghettos given that, within Wacquant’s theory on what makes an area a ghetto, only three aspects fulfill the criteria. Then, in his point of view, the concept of ghettos or

²⁶ Horst & Gitz Johansen, 2010:140

²⁷ In 2018, Rytter analyzed ethnic minority children’s educational underachievement in relation to ethnic majority children, which is explained in terms of their lack of a Danish precondition.

²⁸ Larsen, 2018;

parallel societies should not be applied to the Denmark, especially since there seems to be no physical or institutional demarcation of said areas²⁹.

Concluding, all these debates ended up gaining international attention and currently, with the ongoing international civil suit in place, this brings the question as to what will be the future of politics in Denmark. As well as, its state of democracy.

Will it be limited or restricted by the EU? Does the EU or the UN have the capacity to negotiate, sanction or even coerce Denmark to take action regarding Danish discriminatory policies?

Despite historical events, Denmark appears to have created a rather strict and complex Aliens Act³⁰. Its biggest changes took place in 2015 during the refugee crisis, which could be argued that the government made the restrictions to make Denmark less attractive to migrants since the Welfare State had been an immigration magnet for years³¹.

However, with a set of such restrictive policies regarding freedom and movement towards immigrants, it is obvious that basic human rights have been violated multiple times, a situation which has been criticized by the UN Human Rights Committees and European Court on Human Rights on several occasions.

Bendixen, claims that Danish politics and policies are discriminatory towards immigrants in all life areas; family re-unification, education, unemployment benefits, integration benefits, child check, national pension, health care, religion, crime, citizenship and labor market.

His claims can be further corroborated by a report made in the past year of 2020, by the Committee on the elimination of racial discrimination on Denmark, which had the contribution of several NGOs.

²⁹ Larsen, 2011:62

³⁰ Ninet, Antoni, 2019:211-227

³¹ Bendixen, 2016.

Theoretical Framework

Sociology of Law

This chapter presents the theoretical framework as well as the methodological approach chosen to investigate the problem which will provide me an answer to the research question of this study: “*Are immigration and integration laws a paradox in Denmark, regarding people living in ghetto areas?*”

In order to this questions and any other sub-questions it might entail, one must examine the symbiotic relationship between law vs society & values vs norms, and the best way to do so, is through the lens of sociology of law³². This takes the point of departure, that a law has a social background, given that it is inseparable from society from a functionalist perspective. Therefore, this theory it aims to explore the origins and consequences of legal regulation.

For this field of research, it is of utmost importance to study social norms in society along with the repercussions of legal regulations, as well as, the hidden intentions behind the rules. Additionally, norms cannot exist or be implemented without the government’s approval, therefore, understanding the intentions of policy-makers and of those who approve them, is also the objective of this field which fully connects and aligns with my research question.

Sociology of Law is a field of research that finds its earliest fundamentals in the studies of Max Weber and Karl Renner, amongst many others, like Durkheim in the 20th century. Through time, like most social sciences, it has undergone many variations since its genesis as many have tried to define it. In this sense, questions arise whether this scientific sub-field belongs to the main field of law, sociology or both.

According to Griffiths³³, it is “an empirical social science whose subject is social control, that is to say, the social working of rules (primary and secondary), its causes and effects”. To put it simply, it aims at explaining the inter-play between legal structures, legal processes (how the law is made) and the law’s impact on societal change and social control.

³² Gurvitch, 1973: “law is an outcome of society and social change rather than a tool for intervention”.

³³ Griffiths, 2017:93-125.

First and foremost, its foundations can be found in the field of sociology because it is the scientific study of social life which examines the life and behavior of human beings in groups. However, it is also believed to be an interdisciplinary field, as it studies the normative and discursive framework of the law by analyzing the economical, societal and political aspects, thus providing knowledge on the social reality of policy-making³⁴ and its ever-changing nature, which happens mostly due to globalization.

As previously mentioned, globalization as well as modernity and capitalism, have had an enormous impact on societal changes, thus affecting norms and their background for legal application, which in turn affect people's behavior³⁵.

Whether a change in society is refreshingly welcome or not, according to Santos³⁶, many tensions between social regulation and social emancipation have been observed, as well as, a noticeable departure from the modern social contract which is happening due to the rise of social fascism in certain parts of the world.

With this, comes into light also the idea that sociology of law also recognizes that the laws are written by humans, who are flawed, biased and bring personal beliefs with them, when having to make or analyze said laws³⁷.

Furthermore, there is no universal definition of the law in this field, so, it should be studied and regarded as a "social construct which should only be studied empirically and within a particular contextual framework"³⁸, in order to analyze the positive or negative legal impact on a particular society or group.

Likewise, Larsen agrees that one must therefore accept a legal definition, but this principle can be extended in such a way to the sociological context³⁹. On a more specific note, Ehrlich distinguishes the living law which is to be interpreted in a sociological context, as opposed to the code law, interpreted by lawyers.

Either way, before reaching an understanding on whether a law has a positive or a negative impact, a discussion must also be brought to the table, to primarily find the difference on what is actually the role of the law, in order to reach a better conclusion of its impact.

Scholars have divided themselves regarding this matter into two schools of thought, namely: legal optimism and pessimism.

³⁴ Hydén, 1986.

³⁵ Hydén, 2008 - "the role of law is to be one of the several aspects influencing behavior in society".

³⁶ Boaventura de Sousa Santos – The counter-hegemonic use of law in the struggle for a globalization from below

³⁷ Walsh & Hemmens, 2008:15.

³⁸ Banakar, 2011.

³⁹ Dahlberg-Larsen, 2005.

The legal optimists, like Comte or Cotterrell believe that there is no society that can be formed without a set of rules, as that is the only means necessary to not only control, securitize and educate peoples' behavior, but also a way to solve societal issues. On this matter, Hydén is known to discuss the “moral function of the law”, as a means to protect the people, their interests and values.

On the contrary, legal pessimists like Balvig, Gurvitch, Weber and Durkheim, believe that the law does not hold much power, as people already regulate themselves with so called “social norms” as a source of legislation under which the law is born. These social norms would then contribute to the creation of the laws according to a community's morals and values⁴⁰.

Moreover, by looking at the case of Denmark, where the community used to be somewhat homogenous but, due to the globalization factor, the society's' morals, values and interests collided, then were put into question. Consequently, it is easy to understand the origin for conflict, as people are culturally different and mostly argue about what is deemed to be right or wrong, according to their beliefs as it will be shown in the section of empirical data.

This entanglement of political struggles, along with social movements led to several questions, the most important relating to structures of power and social justice⁴¹.

Despite having delved into very diverse insights from many different scholars, I would like to end this section with a noteworthy Boaventura de Sousa Santos' sociological perspective on the role of the law. This scholar believes that the law does not function as it is supposed to, as a tool with the means to achieve social justice.

Boaventura bases his opinion on the grounds that historically speaking, the concept of social justice was never present in many nations to begin with, although only as an utopian concept. Hence, societies constructed legal frameworks according to selfish interests and also to maintain the status of certain figures in power, throughout many generations. However, he blames and critiques mostly the selfish Eurocentrism.

From this point of view, certain underprivileged areas in a community could suffer a different treatment, as a devious selfish plan designed by hegemonic figures could be in place, with the objective to confine and legally dictate minorities who reside in these areas. In his opinion, human rights can be used as a counter-attack to this hegemonic

⁴⁰ Banakar, 2011.

⁴¹ Boaventura de Sousa Santos, 2007:421:474

power, by turning it into emancipatory discourse – which is able to contribute to the transformation of social structures, not only at a national, but also at a global level.⁴²

Concluding, these lines of thinking prove to be extremely interesting and relevant for this study, especially when put into practice. Hence, it makes one think about the exact role that a law has in society and makes one question the extent of its power in solving social conflicts or if it potentially ends up creating even more, as it can likely infringe the peoples' human rights⁴³.

In relation to human rights, universal human equality and dignity, according to Hastrup: “even for a strict legal dogmatic consideration that isolates the law from life, it will be impossible to disregard the particular notion of the inherent value of man that in the first place justifies human rights. Already here, the law points beyond itself and into a life of its own”⁴⁴.

By following the footsteps of Boaventura, this study will then derive from the usual goals of sociology of law. Instead of solely relying upon the direct and expressed state of legality, the law must also expose anything that is hidden or suppressed under those forms of legality, and in which more damaging practices of social and personal oppression tend to occur.

In order to do so, one must look at the role of the civil servants and the true nature of their intentions when making the law. However, before delving into the more practical and analytical sections of this study, the theories which can explain the choices and motivations of said legislators behind the process of policy-making, will be introduced briefly below.

⁴² Boaventura de Sousa Santos, 2009;

⁴³ Dahlberg-Larsen, 2005.

⁴⁴ Alf Ross in Hastrup, 2002:12.

Theoretical approaches on the process of policy-making

It is obvious that one of the main roles of a national civil servant is to take care of national interests and consequently, to ensure the application of the legislation.

According to a few theorists, the civil servants work used to be predictable, due to the “old-fashioned” way of governance⁴⁵. In a way, the civil servants were considered as mere executives, since their only task relied on simply executing the law, by making sure that it was being applied or implemented in the correct way⁴⁶.

However, nowadays this may be seen as a very narrow point of view, as civil servants are not structured in a very high hierarchical anymore. The civil servants indeed have developed many new important characteristics over the years (nodality, authority, treasure and organization⁴⁷), especially ever since the public administration changed within global governance, which enabled more power to these civil servants, by giving them more autonomy⁴⁸, both of will and of action. Their empowerment, capacity and freedom allowed them to act on their own, according to their resources (information, knowledge and expertise)⁴⁹.

Nonetheless, there are certain aspects that should be taken into consideration, and which relate to how much the role of civil servants on policy-making is influenced or biased due to the structures or institutions that they work for, as defended by the following theories:

- **Institutionalism theory**

In order to truly understand the process of policy-making, not only it is important to look at the role of a civil servant, but one should also consider them as actors within a certain structure.

This is particularly relevant because, by looking only at the actor, one is only analyzing their personal interests, whilst by studying the whole structure they are in, then one may consider the written norms which determine and form the said structure.

⁴⁵ Walsh & Stewart, 1994.

⁴⁶ Peters, 2009.

⁴⁷ Knill & Bauer, 2016.

⁴⁸ This is easily observed, when the national civil servant moves to the international level, where his functions move beyond executing and implementing legislation. - Peters, 2009.

⁴⁹ Bauer & Ege, 2016; Trondal, 2014.

Consequently, the role of the national civil servant is to act as a representative of the structure and who is also responsible for promoting and facilitating interests. However, policies do not come out of thin air, instead they are constructed through a political and societal struggle for power and conflicting interests.

In this sense, the actors' perspective during the process, is essential for any policy, and its implementation, as their expertise could avoid potential societal conflicts. In case of conflict, there should be a call for a negotiation. However, this negotiation will depend on the position of the various actors involved in the process, and often powerless groups in society will have fewer opportunities to influence policies, which in the present case, relates to the minority group of non-Western immigrants.

Concluding, the main claim of the institutionalism theory is the reason why it is relevant to explain the actors role in the process: institutions matter because they affect behaviors as well as, decisions and policy outcomes⁵⁰.

- **Historical Institutionalism (HI)**

In this theory, actors base their actions on what has been defined by the institutions over time and by what can be explained through history and its chain of political events, as actors learn from past experiences. Once choices are made with stability over time, they usually create a path dependence in future developments, shaping future options, thus making it difficult to shift the paradigm.

Peters further emphasizes how timing, critical junctures and path dependence can also affect institutions and its actors, by shaping the social, political and economic behavior.

In this theory, institutions are defined as “the formal or informal procedures, routines, norms and conventions embedded in the organizational structure of the polity or political economy.”⁵¹, but more than that, they are arenas fueled by incentives, norms and arguments where positions and interests are fought over⁵². And, even though, institutions play a key role on how they structure actors' behavior, interests and

⁵⁰ Peters, 2011.

⁵¹ Hall & Taylor, 1996.

⁵² Cappocia, 2007.

decisions⁵³, the actors' need to follow institutional rules vs the need to follow their interests is still an internal battle, difficult to solve.

In sum, history and politics are dynamic processes connected in a chain of events that keeps changing over time, where actors constantly fight for power and evaluate the costs and benefits of all their possible decisions⁵⁴. Path dependence is a way to narrow conceptually the choice set and link decision-making through time. However, it is not a story of inevitability in which the past neatly predicts the future⁵⁵.

- **Legal Institutionalism (LI)**

In LI, laws and norms are perceived as institutions. Legal rules are a constitutive part of the institutionalized power structure and a major means through which power is exercised.

Globalization increasingly leads to a decrease of the significance of state boundaries through trans nationalization, creating the necessity for a unification of legal regulations by the adoption of common international laws and transnational norms. These norms will be applied by state-actors in order to regulate their relations and to avoid conflict. However, as their preferences often differ different normative orders are being projected, creating legal pluralism. Thus, we live in a globalized world where many norms come in contact but very often, they also come into conflict⁵⁶.

As norms overlap ambiguity emanates on the rules which must be applied to resolve conflicts and this ambiguity “opens the door for political manipulation, selective enactment and self-serving interpretation”⁵⁷.

⁵³ Steinmo, 2008.

⁵⁴ Steinmo, 2008.

⁵⁵ North, 1990.

⁵⁶ McCormick, 1997.

⁵⁷ Schuman & Edelman, 1996.

- **Rational Choice Institutionalism (RCT)**

This theory relies on the fact that actors operate on the basis of self-interest, by relying on their rationality, a concept borrowed from economy and which is used to describe how to act, in order to achieve the most profitable outcome (principle of utility-maximization)⁵⁸. However, one must not forget that rationality is limited, as most of the time, a policy will not be able to fully maximize the conditions for an actor, but only partially satisfy its needs. Consequently, its boundaries may be conditioned by lack of time, public consensus, amongst others⁵⁹.

Additionally, it also goes by the name of principal-agent theory, where actors behave rationally and institutions act as variables, because they manage to alter the actors' preferences⁶⁰. Here, the principals delegate authority to the agents but, at the same time, have "police patrols" who monitor what the agents do.

Even though a certain policy is created on the basis of self-interests, one thing is certain: it always brings about some external effects, which could have both positive and negative consequences in the community as shown earlier in my analysis regarding the inevitable consequences of the ghetto laws.

Regarding this matter, Danish lawyer and legal philosopher has an interesting perspective that there are always two sides of every right, which leads to different consequences depending on ones' view or political ideology⁶¹.

By mentioning external factors, I mean the consequences that a policy unintentionally has on the people, who have not been part of the decision-making process. Moreover, the positive effects are seldom perceived, whereas the negative effects can be extremely interfering and unpleasant to the people, therefore having more impact.

This theory can also be used to analyze the political support, possible coalitions between parties and parliamentary majority, in order to predict an outcome regarding policy-making. For example, if a new proposal gathers sympathy from many parties during a debate, one can predict it will be approved later on.

Additionally, this theory can explain the interplay between private and public actors, as they may not have the same interests. (ex: Danish government demands

⁵⁸ Scharpf, 1997.

⁵⁹ Hill, 2007:188.

⁶⁰ On this matter, Scharpf disagrees, as the actors' preferences are exogenous in the process of policy-making. It is the institutional rules however, that may constrain the actors' choices.

⁶¹ Alf Ross, 2002

that immigrants learn the language in order to integrate; yet language schools may not have the same interest, due to the fact that they would have to offer free services, as immigrants have no self-sufficiency to support their studies).

Either way, this theory is not an analysis of the self-interest of certain groups, but to a much greater extent it is relevant to understand if the policy-making process can be constrained, influenced and manipulated by internal (ex: social constructs or bias) or external factors⁶².

Concluding, this particular theory section is relevant for the topic of discussion in the last chapter of this thesis, which relates to the role of the national civil servant.

As demonstrated earlier, policies can be often formed on the basis of an already previously formulated policy or on preferences that stick through time, as only very rarely do completely new problems arise. But, whenever they do, social issues run through a process which can be defined in stages such as: claims-making (involving various actors, including legislators, activists, experts, and others), media coverage and public reactions, which may influence policy-making and its outcomes⁶³.

According to a claims-making theory based on a social constructionist approach, each of these stages reflect that, societal issues and policies are deeply intertwined with the claims that actors make over time, in order to achieve their audience: the broader population and political consensus.

However, it is known that a mere claim does not always result in a political initiative. To become one, the problem in question needs to be officially recognized and strongly emphasized as being extreme troublesome or a threat, with potential severe consequences to the society.

Nevertheless, the actors' power, influence, charisma, claims or preferences can very much impact the process of policy-making, in either a negative or positive light, depending on different arguments and perspectives.

⁶² Schmit, 2018.

⁶³ Best, 2016

Methodological Framework

WPR approach

In the following section, I will elaborate on the type of methodology and on a specific method used to conduct this study, which is to reach an understanding of the intentions and rationalities embedded in the government's policies regarding the Ghetto Package, which resulted into actual legislation.

In order to be able to conduct a critical analysis on the subject, a relevant method to the aim and scope of this thesis is based on the work of Bacchi & Goodwin, with a direct approach to: "What's the problem represented to be?", hereinafter called "WPR".

These scholars developed their method based on Foucaults' post-structural perspective on policy analysis, in which he studied and developed the term "governmentality" while explaining how to conduct and guide people in society through the power of governance, with a special focus on matters of race and national identity⁶⁴.

According to Foucault, all sorts of legal constellations consisted in influencing peoples' behavior through political perspectives. Furthermore, this post-structuralist approach also focused on how certain policies could contribute to the creation of additional issues instead of actually solving the issue itself⁶⁵.

Given this situation, Bacchi & Goodwin pinpointed the need to attend the representation of problems in understanding the discursive struggles that accompany policy-making. They argued that 'by asking how 'problems' are represented or constituted in policies, it could become possible to probe underlying assumptions of problems in them. As opposed to a traditional kind of approach, that views policies as "responses or reactions to problems".

This line of argument led these scholars to conclude that it is very important to analyze the political scene and the essence of its discourse, since only the dominant discourse may persevere, influence and control a society in a direction of creating norms shaped according to their context.

⁶⁴ Olsen, 2004.

⁶⁵ On this note: "(...) problematization as a part of the process of constructing policies. ...starting with the production of "problems"- how a problem begins, how it is represented, and what needs to be done in order to solve it." Bacchi & Goodwin, 2016:15.

Consequently, some political initiatives made certain groups or minorities within a society, (in this case, immigrants or non-Western Danes) act a certain way, which in turn, made them accountable for already existing problems in the eyes of the rest of the society, therefore ignoring other potential factors that could explain the problem⁶⁶.

Moreover, this method further analyzes political discourses with an understanding that policies are structured according to historical, national and/or international contexts⁶⁷.

This kind of assumption may create a stigma or even a type of territorial stigmatization, which causes severe social and harmful consequences for the people living in these targeted areas⁶⁸.

Additionally, by following the footsteps of this method, I will be able, not only to question and challenge the emanating political discourse as well as, understanding the underlying premises of the “Ghetto Package”. The main goal of this strategy is to provide enlightenment and awareness regarding the sociological issues which derived from these policies.

In doing so, I will resort to using this method to answer several sub-questions, since it has a strong contribution in the field of policy analysis. Also, this method provides a more practical approach to this kind of study, and it will have a complementary role to a more theoretical line of thinking, which is provided by the world of sociology of law.

Empirical Data

The main data used to substantiate the analysis of this thesis mostly consists in the form of official documents.

Firstly, government policy papers were gathered in order to help me gain insight into the political system and the discourse strategy applied and used to try an solve issues related to immigration and integration.

Thus, and as stated before, I have mainly used a specific policy from the former *Regeringen* in office, which was released in 2018, called: “*Ét Danmark uden*

⁶⁶ Bacchi & Goodwin, 2016:69.

⁶⁷ Bacchi, 2009.

⁶⁸ Wacquant, 2008:30.

parallelsamfund – Ingen ghettoer i 2030” usually referred to as “The Ghetto Plan/Package”, with the official translation of: “Denmark without parallel societies – No ghettos in 2030”.

It consists of a relatively long document which includes an annex, listing all the government initiatives followed by a set of requirements, proposed to solve these societal issues, by abolishing parallel societies in the long run. It is accompanied by a “scale” meant to define residential areas, separated into three different categories (vulnerable housing areas, ghettos and hard ghettos), which is used to assess the state of several municipalities yearly.

I have also collected recent government policy documents which served as an example in order to better understand the process of tearing down social housing, therefore evicting families and how this decision is transmitted to the assigned municipalities (ex: “*Den sidste Vollsmosteplan*”).

Additionally, I have gathered older government policies along with reports, relevant nonetheless, due to its significant history, which provided not only, the necessary knowledge into the first steps taken by the government in creating ghetto lists, but also showed the changes that have occurred throughout the years in the making of this policy.

These were however, merely incentives waiting to be passed on as laws during the voting process at the parliament and but were already regarded as “ghetto strategies” meant to address disadvantaged social housing areas, namely “*parallel societies*”.

To further validate and corroborate my analysis, I included Danish legislation that was passed on, pertaining the above mentioned policies, which are also mentioned in the Appendix.

All these laws were retrieved from an official website, containing all the Danish laws, as well as other official documents like the latest proposal to change the current legislation concerning public housing or even the Danish legal definition of ghettos (*Retsinformation*).

I also took into consideration other materials related to the inequality in treatment present in the ghetto areas. In the Appendix, follows a petition made by the citizens of a ghetto area to the UN Human Rights office, because it is within my interests to analyze if these policies *de facto* conflict with universal human rights, as defended by people, an element which I will further elaborate during the course of my analysis.

Also, other news articles, debates and any other research previously done about the Danish political landscape regarding immigration and integration was included.

a. Validity and Reliability

In order to analyze and measure the quality of this study, the starting point would be to take a look at a number of factors altogether.

Firstly, the level of precision and reliability, as mentioned before, are probably a bit compromised due to the language gap. And even though, the sources are formal and official, such factors do not always ensure accuracy, especially since people perceive things differently, and are somewhat intrinsically biased or too subjective in their analysis⁶⁹.

However, since precision is a problem, there are techniques that could be used to go around this issue, such as checking for reliability through the work of other researchers, which I did.

Thus, I firmly believe that my empirical data adds validity to my study since all the retrieved documents are formal, since they come from trusted official sources such as the government, or the legal official database, which in turn ends up adding authenticity and credibility⁷⁰. By resorting to document analysis as the main data of a study, it is also important to consider its level of representativeness and consequently, its political views that come from an actual political actor⁷¹.

b. Limitations

Due to the fact that my sources consist of formal official documents, I am faced with a language barrier, since these are only available in Danish. Nonetheless, there are mechanisms in place that allow for a possible translation.

However, I am also aware that there is a slight chance of parts of text being lost in translation, as it is ever so difficult to understand the true meaning of a sentence when switching languages or even cultures.

Either way, the choice of subject for this thesis relates to my own personal interest in Danish immigration policy, given that I am an immigrant myself living in a ghetto area.

I have no doubts that I will not let myself be biased by my current living situation.

⁶⁹ Babbie, 2014

⁷⁰ Bryman, 2008:516.

⁷¹ Flick, 2009.

To put it simply, I am merely interested in the sociological aspects behind such government policies and their consequences they have on the people living in these areas.

Despite believing that my empirical information allows me to acquire a profound knowledge on this highly significant issue, I also believe that it could have been a bit hindered due to the current pandemic, which deprived everyone from direct access to valuable library archives or any other sources, like direct contact with the people living in these areas, therefore limiting the scope of the research.

Concluding, I think that it would have been very interesting and an added value to this thesis, if I were to have compared the ghetto policies and their sociological impact on the Danish society also with ghetto policies from several countries (black American ghettos or the French *banlieues*, in order to understand similarities as well as potential differences.

An overview of the Theoretical & Methodological Framework

As previously mentioned, the formation of parallel societies by ethnic minorities has been one of the government's biggest concern. To combat this issue, and inspired from a nationalistic sense of duty, a set of policies were designed, in order to protect the fundamental cores of Danish society. As, the belief system present within parallel societies constitute an outright disparity in relation to the societies' democratic, liberal and traditional values.

Moreover, the implementation of such policies also finds justification in reports ordered by government, where statistics show that there is a much bigger incidence in violence and crime in these areas, along with high levels of unemployment, which leads to poverty and lack of education. Together, these represented a threat which deserved the governments' immediate alertness and response, along with a lot of negative media coverage.

Even though, the intentions behind such policies seem reasonable, many sociologists found them to be counter-productive, discriminatory and restrictive in terms of the peoples' rights.

Therefore, in order to analyze the sociological impact these policies had on the society, I draw upon theories to substantiate my analysis and conclusions. Those theories derive not only from the field of sociology of law, but also from different schools of thought regarding the role of civil servants and their extreme relevance during the process of policy-making. These, are used in combination with the WPR methodological approach.

The WPR is a tool, widely known for its use in the examination of a political scene, regarding its discourse, policies and proposals. As stated, this is a very hands-on practical approach, since it allows one to focus on asking questions regarding policies, how they operate, as well as potential underlying assumptions of problems within them.

This method leads to the conclusion that policies are made to solve issues, meaning that there is a problem to begin with. But these issues are not always visible or directly expressed in a policy.

Hence, this method allows for an interpretation of implicit or indirect problems, that are addressed in a set of separate sub-questions which relate to the main research question.

By asking several questions, one is opened to a much wider view of the world and is able to expand the thought process which in turn could lead to better policy outcomes. Below, is the list of sub-questions which were raised throughout the reading of the empirical data, present in the Appendix:

Q1: *Integration Law in Denmark – what are the problems represented to be?*

Q2: *Ghetto Laws – what are the problems represented to be?*

Q3: *Compulsory daycare/school programs – what are the problems represented to be?*

Q4: *Creation of special criminal zones and doubling the punishment for them – what are the problems represented to be?*

Q5: *Social housing: sales and potential demolition – what are the problems represented to be?*

Q6: *Underlying problems regarding social housing – civil unrest? What was the outcome?*

Q7: *Could the EU, UN or even the Danish Constitution block or hinder these policies – what is the problem represented to be?*

Q8: *There is a new proposal on the table to make amendments on the above mentioned policies – what are the problems represented to be?*

Presentation and analysis of the Legal Framework

The following section will introduce the legal framework and consequently, a “mapping of the law”, which was used to interpret and assess the issues surrounding immigration and integration policies, as well as the effect that they have on the Danish society.

In the Appendix, a simpler description of the laws, along with their source, will be provided, as the purpose of this section is to offer a complete overview of the legal grounds for my analysis.

Q1: Integration Law in Denmark – what are the problems represented to be?

♣ *Integration Law – LBK nr 1146 af 22/06/2020*

Historically speaking, the first immigration strategies report back to the 60s, a time when Denmark received groups of foreigners for labor (guest workers from Turkey, Pakistan, etc.) in the industrial sector⁷². Those guest workers were backed by the Danish Refugee Council, a newly created association which was meant to assure a fast integration of foreigners, by ensuring the teaching of the language amongst other things⁷³.

However, the emergence of an economic crisis and recession back in the 70s led to the creation of an immigration ban⁷⁴. This of course, in turn, led to a very big political debate about who should be let in the country, as, at the time it was decided that refugees and family reunified should be the only people allowed⁷⁵.

During the 80s, Denmark in particular, observed a massive influx of non-Western immigrants, mostly of Muslim origin, since the 80s’ due to the appetizing Nordic Welfare State, where equality took place amongst all individuals, and welfare institutions were created to ensure a high degree of redistribution and a guarantee of benefits for all, including health care, free education, unemployment benefits and pensions⁷⁶.

⁷² Togeby, 2003.

⁷³ Danish Refugee Council, 2006.

⁷⁴ Martens & Stenild, 2009.

⁷⁵ Mikkelsen, 2008:150.

⁷⁶ Kildal & Kuhnle, 2005.

Regarding refugees, immigration policies were very much liberal and friendly. The Aliens Act of 1983 was proof of that, since it was relatively easy to obtain that status, as there were few requirements.

Though, in the 90s, a drastic change is noticeably, since Denmark received large groups of refugees due to the war between Somalia and former Yugoslavia. It is at this time that the homogenous society of the country starts to dissipate⁷⁷.

In order to control this problem, the first integration law is introduced and with it came the tightening of the rules⁷⁸. However, much was discussed surrounding this first law, which later on, ended up being considered discriminatory. Therefore, a new proposal had to be made “Act on the Integration of Foreigners in Denmark” (Act 471 of 1 July 1998), this time, concerning a bigger target group⁷⁹.

This brings me to my point of departure, which is to explain this first piece of legislation, which finds its origins in the events above mentioned. And, even though the current law seems to have suffered more restrictions over the years, its original essence is still very much present to this day.

The purpose of this law was, not only in the 90’s, but also today, to establish a regime vis-à-vis refugees and immigrants, that decided to move to Denmark.

Firstly, it establishes and defines the refugee status, while ensuring their equal rights to the health care system, along with possible housing arrangements by each municipal council, amongst other things (§2 to Kapitel 3).

On the other hand, this law also institutes a repatriation program for those who are to return to their home country (Kapitel 4).

Secondly, it encourages newly arrived foreigners to seek out employment, in order for them to participate actively in society, according to the Danish norms and traditional values.

Additionally, this law aims to ensure the quick integration of immigrants in general, through the support of introductory programs concerning linguistic and cultural elements, so that they would gain the necessary skills to start on equal footing as the other citizens, with a special focus on self-sufficiency, provided by the labor market. This type

⁷⁷ Hedetoft, 2006, see also Jenkins, 2011.

⁷⁸ Mikkelsen, 2008.

⁷⁹ Ejrnæs, 2001.

of measure finds its roots in the ideas of social egalitarianism, but also on the idea that one must work and earn according to their contribution⁸⁰.

Despite seeming a very welcoming law, it is noticeable that there is an argument to be deducted from this piece of legislation. It is apparent that this legislation was created to welcome people in very vulnerable situations, who had to flee from their countries and cannot come back to their homes for several reasons.

However, if those people do not have a place to live, then they are allowed to stay in Denmark, as long as they make an effort to integrate, by learning the language, the cultural values and traditions and especially by actively contributing to society by finding employment.

The first thing I would like to point out is, the idea that Denmark provides all the tools necessary in order for these people integrate. But, by institutionalizing a “return program”, it seems that in truth, the country expects these people to gain knowledge and financial independence with the objective of them returning one day, to their home countries and rebuilding them.

The second aspect I would like to point out, has to do with a question I posed earlier in my state of the art, which relates to the ideology behind this law: on where does one draw a line between integration and assimilation?

Integration vs Assimilation

By definition, integration points out to immigrants adopting the host country culture, while retaining their original ethnical traditional values. Whereas, assimilation reports to the fact the immigrants should adopt the host country culture and reject their culture of origin.

Nonetheless, the concept of integration seems to be present in many cultures, although it is a concept complex to define, as it can lead to a vast world of interpretations, whether it represents social, economic, political cohesion⁸¹.

In Denmark, it is a concept constantly being repeated in the political scene, as one could argue that it even became part of a political dream and ambition to achieve cultural similarity and “political sameness”⁸².

⁸⁰ Kasperser, 2005.

⁸¹ Ejrnæs, 2002.

⁸² Olwig & Pærregaard, 2011.

As mentioned before in my state of the art, this concept is embedded with the notion of sovereignty and the power of the state intervention in the social scene, in order to conserve its nationalism or *danskhed*⁸³.

Also, on this matter, according to several surveys and reports previously made, one of the biggest concerns associated with immigration is *de facto* the deterioration of the culture, and many of them showed that a very low percentage of the Danish population wishes that immigrants keep their customs and traditions.

This evidence points that there is a high chance of the citizens assuming a more conservative stance towards immigration and therefore voting to preferences for a government who promise them assimilation policies or, in other words, “othering practices”⁸⁴.

Not only it aims at preserving the culture, but it is also a matter of national security, as it aims at controlling and regulating the “everyday family lives and religious activities of Muslim immigrants”, who have been singled-out due to the fact that people belonging to this particular group are defined as posing a “threat to democracy, human rights, gender equality and freedom of speech – which are the core values of the Danish society and its welfare state”⁸⁵.

According to Pace, Denmark has already achieved the “benchmark for a successful assimilation” process, since unlike other Nordic countries, “its system does not base itself on recognizing minorities, though only in exceptional cases it makes juridical or political allowance for minority rights and cultural claims based on minority status”⁸⁶.

In this sense, by crossing the line between integration and assimilation, and moving towards the direction of a form of acculturation, Denmark creates a potential for psychological conflict between the people, which needs to be negotiated in order for a better outcome equally adaptive to both parts of society⁸⁷.

Such potential for conflict has directly to do with the people not being able to make use of their original identity and culture which consequently leads to a high level of frustration for some, as well as an “identity vacuum” for others, who will never feel a sense of belonging. Thus meaning that this discussion is of particular relevance as it

⁸³ Jones & Johnson, 2016.

⁸⁴ Gundelach, 2011.

⁸⁵ Rytter, 2018:684.

⁸⁶ Pace, 2017:6-17

⁸⁷ Berry, 2005.

relates to the people's well-being, as well as the effects this has on the community as a whole⁸⁸.

Concluding, whether this law envisions people to integrate or assimilate, the main objective is quite clear: the Danish economic, cultural and traditional values must be protected.

Furthermore, there is a demand that people cohabit and co-create together, as one united society, instead of having certain groups of people congregating and secluding themselves in certain areas apart from the rest of society as is happening. This brings me to my next topic of discussion regarding to the main object of this study, which is to understand ghettoization policies.

Q2: Ghetto Laws – what are the problems represented to be?

Before delving into the specifics of the ghetto policies, I believe it is important to try and establish a definition of a ghetto which, from a philosophical and sociological point of view, much has already been discussed in my state of the art. Therefore, below is the Danish legal requirements that define an area into a ghetto:

♣ *LBK nr 1203 af 03/08/2020 - §61 a. stk.1-6*

By law, any area can turn into a ghetto if, during the yearly assessment said area meets at least two of the following requirements

1. The proportion of residents aged 18-64 who are not connected to the labor market or education exceeds 40%, calculated as the average over the last 2 years.
2. The proportion of residents convicted of violating the Penal Code, the Firearms Act or the Narcotic Drugs Act is at least three times the national average calculated as the average over the past 2 years.
3. The proportion of residents aged 30-59 who only have a primary school education exceeds 60%.
4. The average gross income for taxpayers aged 15-64 in the area excluding education seekers is less than 55% of the average gross income for the same group in the region.

PCS 2. A ghetto area means a residential area where the proportion of immigrants and descendants from non-western countries exceeds 50 per cent, and where at least two of the criteria in subsection (1) apply is met.

.....

PCS. 4. A hard ghetto area means a residential area which for the past 4 years has fulfilled the conditions in subsection (1). 2, cf. 5.

PCS. 5. For the years 2018, 2019 and 2020, the conditions in subsection 2 have been met in the last 5 years.

⁸⁸ Nekby & Rödin, 2010.

Before exploring all the intricacies which derive from this law, I want to firstly point out general considerations regarding the use of certain expressions.

Firstly, and at the cost of repeating myself, it is evident that the use of the word “ghetto” is a problem, even though the government established legal requirements to define it.

As mentioned in my state of the art, this word has extremely negative connotations attached to it, prior its use through the course of history. More often than not, it does spread high levels of stigma, constraints and territorial ostracization on the people living in vulnerable areas⁸⁹.

There is the idea that the people belonging to those minority groups are poor, lazy (by not contributing enough and being welfare dependent), low-class, are connected to crime and are to blame for creating parallel societies. However, there must be a reason on why those particular minorities chose to live in these areas but, this will be further discussed on the social housing specific aspect of the policy.

Surely, these notions are not newly formed. As, historically speaking, ever since the terrorist attacks, the media had power, influence and a role in playing a negative label of these ethnic minorities, which consequently managed to fully affect the public opinion world-wide⁹⁰.

Secondly, it is also obvious that the use of an ethnicity to define a ghetto, that consists in one of the biggest problems the society faces and which must be eradicated, brings severe sociological impacts to the people involved⁹¹.

The law is very explicit, as it directly implies that ethnicity seems to be the sole factor, as opposed to socio-economic ones, since the minority group of “non-Western immigrants and descendants” is clearly the reason of the formation of ghettos, as stated in §61 a. – PSC 2.

There is an assumption that this group of people is responsible for creating parallel societies in the ghetto areas, since more often than not, they do have entirely different values when compared with the rest of the Danes, which is “then cause for exclusion and limits the opportunity for this group to become a part of the majority”⁹².

⁸⁹ Wacquant, 2008:29

⁹⁰ Van Dijk, 2000:49.

⁹¹ Røgilds, 2002.

⁹² Eika, 2019.

The argument to be made relies on the fact that the chauvinistic and discriminatory stance assumed in this policy, may, in fact, further bring people apart, on the ground that people simply have a different ethnic background. There is a clear division between “us” and “them”, referring to Danes and “them” as non-Western immigrants living in parallel societies⁹³.

As stated before, other studies have explicitly demonstrated that this division further stigmatizes and discriminates the ghetto residents by pointing out to the ethnicity factor⁹⁴.

Additionally, Schmidt argues that the use of “non-Western immigrants” is rather unclear, nor is even useful in relation to disclosing the concept of parallel societies in ghetto areas. Plus, one should examine the problem by observing the population as a whole, and by evaluating the degree of isolation, between different groups of society, as opposed highlighting one specific group and targeting them as the problem⁹⁵.

In regards to the above mentioned specific requirements in the integration law, one can observe that the government directed its focus on four different dimensions, in order to reach their objective of abolishing the ghetto areas, as mentioned in their 2018 government plan “*Ét Danmark uden parallelsamfund – Ingen ghettoer i 2030*”, which is also present in the appendix, fully accompanied with its source.

The dimensions in question are: mandatory school programs/Danish education; crime; residential areas and housing arrangements. Hence, I will explore and make an analysis about each one of these aspects based on the presented legal framework, in order to understand the issues surrounding ghetto policies in Denmark, as well as their impact on the people of these communities.

⁹³ Hervik, 2015:1-35.

⁹⁴ Simonsen, 2016; Schultz-Larsen and Delica, 2019

⁹⁵ Schmidt, 2018.

Q3: Compulsory daycare/school programs - what are the problems represented to be?

According to the government, there is a high number of children living in these vulnerable areas, which is certainly a reason for concern since these are secluded areas from the rest of the Danish society.

Thus meaning that, these children do not get familiarized with the Danish norms and traditional values. Not only that, but statistics have shown that they have a “worse performance in school than other children and young people”, especially when it comes to reading and language tests in primary school⁹⁶.

Therefore, the government introduced compulsory measures to solve this issue by trying to re-educate the children as it is stated in the *LBK nr 1326 af 09/09/2020, §44 b*:

PCS. 3. The municipal council has a duty to ensure that as part of the compulsory learning offer at an early stage after admission, targeted courses are initiated for the children in order to strengthen the children's Danish language skills and general learning readiness and introduce the children to Danish traditions, norms and values.

PCS. 4. The municipal council has a duty to ensure that both the child's parents, cf. section 44 e, subsection 1, is part of targeted courses that inspire and guide parents on how they can support their child in the compulsory learning offer and support the child's Danish language skills and general learning readiness and introduce the child to Danish traditions, norms and values.

However, it is also said that parents may decline this education, as long as they provide insight into the Danish education themselves. By doing so, they will be obliged to show the results to the municipal council, who will be responsible to make an assessment of the children's' learning process. (§44. f).

By failing to comply with any of these rules, the parents risk facing penalties (ex: cessation of child benefits) and criminalization especially if they try to educate their children against the Danish traditions and values.

Once again, it does appear that these policies drive people to assimilate the Danish culture rather than simply integrate it, by “forcing” these parents to abdicate educating their children according to the traditions and values of their country of origin.

Though, I would also like to point out that it seems that this law holds the immigrants primarily responsible for the creation of parallel societies, which are truly a burden for society.

⁹⁶ *Regeringen*, 2018.

Thus meaning, that it is their ultimate choice to participate and follow the rules or be non-compliant. Moreover, it is their fault for not grasping all the opportunities available to them in order to quickly integrate, in this case, through educating their children properly according to the rest of Danish society. Failing to unwillingly enrolling their children, the parents risk isolating themselves in secluded areas along with their children, who will end up suffering from the lack of socialization, as well as, discrimination and stigmatization in the end.

Nevertheless, there is also another point to be made in regards to the way this problem is posed by the government. The consequence of adding the majority of the responsibility on top of these parents, “reinforces existing power relations between what it is a majority and a minority”. This is, as mentioned before a very explicit form of othering of ethnic minorities. And, by acknowledging the differences in power, the government automatically possesses the agency to create more policies to further restrict the freedom of said minority.

However, there is another discussion to be made regarding the responsibility and accountability in this situation. Even though, these non-Western immigrants have the utmost responsibility in the creation of ghettos, that does not mean that the State has no responsibility at all.

It seems that Denmark allowed these people to live in segregation a long time ago, a fact, which could have certainly have been prevented earlier on, through the use of efforts to create more inclusive programs and measures.

Truthfully, the purpose of this specific law follows the ideology of the main integration law, which is to allow immigrants and their descents equal access to education and job opportunities. By gaining the necessary skills, these children would be self-sufficient in the future and by gaining a higher income, they would supposedly leave the ghettos, since they are not part of imagined Danish community⁹⁷.

However, there is also much discussion and studies made regarding discrimination in the workplace⁹⁸.

A study made in 2018, showed that applicants with Middle-Eastern names had lesser chances of being called for an interview or of even being hired⁹⁹.

⁹⁷ Anderson, 1991.

⁹⁸ Lund & Pedersen, 2016.

⁹⁹ Dahl & Krogh, 2018:44.

Concluding, even though it seems this law has a lot of potential, I fear the sociological vulnerability and the consequences that come from it, outweigh the cases of success. If non-Western parents are to be blamed for the creation of vulnerable areas, as well as, not being able to educate their children the way they see fit, it may lead to other kinds of problems, such as: lack of self-esteem and depression, since they may feel negatively depicted by the government for feeling inferiority of birth culturally speaking.

By internalizing this negative attitude, many of these children may lack confidence in their future pursuits, as they may feel they lack, under-perform or will achieve very little due to their original cultural values or due to the fact that they live(d) in a ghetto area.

Q4: Creation of special criminal zones and doubling of punishment for them - what are the problems represented to be?

- ♣ *LBK nr 1650 af 17/11/2020, §81. c*
- ♣ *2018/1 LSV 22 B*

According to police reports, the government deemed ghettos to be vulnerable and dangerous due to the fact that there was a rise in crime especially in terms of breaching of the firearms or illegal substances law throughout the years in these areas. Not only the residents feel unsafe, but also the rest of the community is deeply affected and concerned with the situation¹⁰⁰.

Although the government opted to first strengthen the number of police elements in these areas, it seemed that it was not enough anymore. Therefore, the government created provisions which are meant to punish in double, those who decide to commit crimes within specific areas, such as “stricter penalty zones”, which would also facilitate being identified by the police.

Regarding this specific policy, once again it seems to maintain its essence of further radicalizing and legitimizing a form of othering “us” vs “them”, by doubling penalties, based on the fact that some people living in vulnerable ghetto areas committed crimes¹⁰¹.

Despite not doing it explicitly like the previous law, where an ethnicity group was singled out, in this case, the law pinpoints to the residents of the ghetto areas. And who are the majority of people living in those areas?

¹⁰⁰ *Regeringen, 2018.*

¹⁰¹ *Hervik, 2015:1-35.*

By legal definition, “non-Western immigrants and descendants”. It is them who must be held accountable and who must pay double the price. Especially since these people are more often than not, perceived as a threat to the Danish society, as their norms and traditional values do not match the Danish standards.

Their culture is largely seen as connected to crime, particularly when it comes to the abuse of illicit substances, possession of weapons, female oppression and domestic violence. Thus meaning, that there is a big discrepancy between what is, or is not acceptable between cultures, which consequently leads to a “hierarchical relationship which favors the Danish culture over any other ethnic minority”¹⁰².

From another point of view, I would also like to discuss that this specific piece of legislation may challenge general rules of law. When the a law is made, it must have two characteristics: being abstract and general.

In this case, it is obvious that it is lacking the latter, as it is aimed at a specific group of people. Although I am not looking forward to discuss its legality, I am simply trying to reinforce the idea that it is a negative law in general due to the sociological consequences attached to it and which are transmitted to the people. It does not seem fair that certain areas of the city must suffer harder penalties than others, as well as, it is also not fair for all the people who live in these areas and are not criminals, but due to this law, they will be branded as such¹⁰³.

Lastly, I would like to mention that this law also establishes the duty of assigning these “increased/stricter punishment zones”, which belongs to the Director of the local police or to the person authorized by him to do so. The role that these people have as civil servants, along with their influence and responsibility in the policies they make, which affect the people in society, will be discussed in Chapter 3.

¹⁰² Bacchi & Goodwin, 2009:7.

¹⁰³ Bacchi & Goodwin, 2016.

Q5: Social Housing: sales and potential demolition – what are the problems represented to be?

♣ *LBK nr 1203 af 03/08/2020*

The government's intention all along, ever since they created the initiative concerning the restructure of the ghetto areas, was to abolish them by the year of 2030, as seen in their government policy papers (in Appendix).

In the government's discourse, much concern has been displayed regarding changing the physical appearance of the buildings within the ghettos, as well as, mixing different types of housing, by bringing the private investors into the scene and joining them with the already existing public sector. This dream would be achieved by having the investors buying existing buildings and transforming them, or to simply building new ones.

When it comes to the hard ghettos, they aimed at reducing the subsidized housing properties by 40%. If the municipalities failed to do so, then the government would take over the properties in question and privatize or demolish them.

Regarding all these policies, the message has always been clear and straightforward, these areas needed an urgent transformation, in order to eradicate parallel societies, so that they would join and unite with the rest of society¹⁰⁴.

By dismantling them the government expected to lower the crime rate, improve education and even employment for those residing in these vulnerable areas. This would be achieved by evicting the people out of their homes and by offering them a new place to stay, while giving them an incentive and a new opportunity to better mingle and integrate with the rest of society.

Eventually, these ideas were put into laws, which are very clear. It is possible for housing companies or landlords to legally cease contracts, accompanied with an eviction notice, with the purpose of selling the buildings to an investor, as well as, giving the people the necessary assistance to relocate (another place to live along with monetary aid). This task is one of the roles of the director of the municipal city council and it is him who also has the agency, by law, to approve the demolition of the properties:

¹⁰⁴ *Regeringen, 2018.*

PCS. (3) The Minister for Housing may, upon application, approve the demolition of public housing pursuant to subsection (1). 2, 2nd sentence, when there is

- 1) documented serious construction technical problems at the property,
- 2) documented persistent and significant difficulties or rental
- 3) significant social housing challenges in an exposed housing area, cf. section 61 a, subsection 1.

On the other hand, the director also has to do an assessment of the families who want to apply to this social housing. Truthfully, it is not only a controlling measure, but a preventive one as well¹⁰⁵. Since it incorporates a set of requirements which will enable the municipality to better spread the people, in order to avoid congregations of the poor, uneducated, unemployed, those who rely on benefits, as well as people who “pile up” together in one housing unit (ex: 6 or more people living in one apartment or more than one family living together).

By spreading them out and mixing different kinds of active people, the municipally has less risks of ghettos forming and has higher chances of dismantling one. Thus, as the waiting lists rent these houses are long, there is a clear prioritization put in place, which is as follows: people who are employed; pursuing education; who are and have been for six months self-sufficient. If the municipalities follow these instructions yearly, they can receive a monetary reward for attracting active people in these vulnerable areas.

Even though all of this seems like a very good policy, I would like to point out the problem with this piece of legislation, which has to do with demolishing the houses and evicting the people. To make matters worse, once again, a particular group of people is targeted in the law. In the article, there is a remark on vulnerable areas, one is immediately connected with the notion of parallel societies, which in turn, relates to the ethnic minorities of “non-Western immigrants and their descendants” that live in such areas.

Not only it appears to be a discriminatory measure, but in a way it is restricting the choices of the people and infringing their freedom to live where they please. If this was to be the ultimate solution to dissolve ghettos, it should have been done years ago, because this measures are affecting third generations of families who have always lived in these areas. Also, the probable and most common reason why the people decide to live there, does not appear to be so clear and easily understandable.

Firstly, one can argue that immigrants would choose to live in such places despite their pricing, since it would only be natural for them to look for potential neighbors who

¹⁰⁵ Kaasgaard, 2018.

could share the same culture, language and who could also assist them integrate and understanding the ways of Denmark better.

Secondly, in Denmark, like in many other places in the world, the housing market is getting tougher and by combining this aspect with the difficulties encountered in the job market, it seems almost impossible to find a place where the people can afford to pay rent¹⁰⁶. Therefore, the argument to be made is that people may not necessarily want to live there, but are forced in a way to reside where is cheaper (public housing prices are much lower than private renting), which consequently, bring out all the stigmas of being low class and underprivileged to the surface¹⁰⁷.

**Q6: Underlying problems regarding social housing – did they lead to civil unrest?
What was the outcome?**

As previously mentioned, this stigma has been around for a long time. Ever since the first laws regarding social housing started to appear with the use of the ghetto word, the social issues related with non-Western immigrants started to grow exponentially.

Today, the situation has worsen, since there are several demolishing plans put into motion, where the residents are being forcefully evicted and are being teared apart from friends and families, which caused a lot of civil unrest.

Places like Nøjsomhed, Vollsmose among other 15 residential areas, that were labelled as hard ghettos, are to be demolished throughout the years, which means that more than a 1000 families risk losing their homes.

Some of the municipalities in question have taken this issues to court, where the argument is always the same: the law is unequal, unfair and it goes against section 70 of the Danish Constitution, which stipulates that no one may be deprived of access to civil and political rights due to descent.

Nonetheless, the courts of Nøjsomhed and Elsinore decided that the approval for sale and demolition of these properties were not based on ethnicity, but simply finds its grounds on long-term structural urban planning at national level, and an urgent need to mix the population.

¹⁰⁶ Larsen, 2015.

¹⁰⁷ Schmidt, Kilsdal, 2019.

Q7: Could the EU, UN or even the Danish Constitution be able to block or hinder these policies – what is the problem represented to be?

As above mentioned, the Danish courts have already decided that there is no questioning the ghetto laws, as in this particular case, everything was done legally and with the utmost concern and respect for the farewell of the Danish society.

Additionally, the courts insisted that, the laws in question comply with the Constitution, the Act on Ethnic Equality, the European Convention on Human Rights and the UN Convention on Racial Discrimination. Moreover, the courts pondered on the inconvenience of relocating to be proportional to the benefits expected in return for doing so, as such: better rehousing offers, exemption from relocation expenses and others.

However, there is one particular case which has yet to receive an answer from the courts, mostly due to the fact it is a long process and, more importantly, the residents also made a petition to the UN.

Currently, the citizens of Mjølnerparken not only pursued a civil suit against the Ministry of Transport and Housing, but they also decided to take this matter to the UN, with the help of several human rights organizations. These citizens firmly believe that the law is not only unfair but actually "illegal" in some ways as, they are looking for international help to cancel the sale of the social housing complex where they live.

In the petition they sent a report prepared by several Danish NGOs which focused on studying the impact the “ghetto package” has on the people and how it conflicts with many rights protected by the Covenant.

It is argued that their strict policies violate article 1, 2, 3, 7, 8, 11, 15, 18 regarding inequality in treatment and the use of discriminatory measures to be applied to non-Western immigrants and descents, concerning their right of liberty and security, as well as their choice of home, as is stated in articles 12 and 13 of the Covenant.

In the latest response, three of the UN’s rapporteurs¹⁰⁸ have issued a call for the sale of the blocks in Mjølnerparken to be hindered, even though the case is being litigated in

¹⁰⁸ “To label residential areas 'ghettos' or 'hard ghettos' on the basis of the percentage of non-Western immigrants or their descendants raises serious concerns about right of equality before the law and equal treatment before the courts, as well as, discrimination based on race, ethnicity, national origin against minorities. Stigmatizing legislation such as the ghetto law risks intensifying and anchoring xenophobia and racist discrimination against residents of Denmark who are, or are considered to be, 'non-Western' ", reads the UN statement, which follows in the Appendix.

the Danish High Court, at least until said court rules on whether the legislation complies with the international human rights.

Despite discussing whether this situation is compliant or not, what is truly important is how a state treats the members of minorities in its society, and if it allows them enough acknowledgment or representation to make their voices heard, that is a question of human rights.

As seen above, many non-Western families risk being marginalized and fear being treated unequally as they face some of their rights denied or their concerns cast aside, due to such strict policies calling these immigrants out, simply on their culture. In this sense, this, the Declaration of Human Rights is very explicit in its Art. 7: “All are equal before the law and are entitled without any discrimination to equal protection of the law...”.

Nevertheless, regarding this case, the most probable outcome will probably be similar to all the other cases judged in the Danish courts because no other entity seems to have enough agency to overpower them. But why?

In 2015, the Danish electorate opted to reject a proposal to eliminate Denmark’s current opt-outs in the EU Justice and Home Affairs cooperation in a referendum. However, the dynamics of the relationship between Denmark and the EU is not new, since major pivotal changes, concerning this opt-out report back to 1993.

At the time, Denmark decided on four opt-outs, such as: no participation in the euro, by changing the national coin; no participation in the majority voting in Justice and Home Affairs; no participation in the EU defense; and no participation in the European citizenship. Additionally, these opt-out mean that “Denmark occupies a unique position when it comes to EU’s asylum, migration and border policy, creating both opportunities and constraints in terms of Denmark’s international engagement”.

Consequently, this led to a very detrimental relationship, but at the same time, these opt-outs are seen as a shield casted over Denmark, with the help and decision of the Euroseptics¹⁰⁹, which aims at protecting their sense of nationalism and further reaffirms their sovereignty, by limiting the EU’s influence over the country, contrary to what happens with many European countries.

Therefore, referencing the opt-outs proves to be particularly relevant in answering my question above, regarding on who could potentially hinder immigration policies.

¹⁰⁹ Boaventura de Sousa Santos, 2017:31-49

Clearly, there is a tension between national interests and the international arena, as to where is a line drawn when it comes to the idea of sovereignty and the freedom to construct their own laws? In regards to immigration laws, it is up to the State to make the most decisions, as the international laws can only go so far as to emphasize the need for cooperation and a few exceptions in certain areas.

Therefore, it is up for the Danish courts to decide on such matters despite any international human rights *iusprudentia* which relates do questions of immigration and integration.

Also, regarding the Danish legislation, it is known that it could face potential risk at any given time. The legislators who worked on integration and immigration laws, tried hard to limit any international interpretation on them, by “limiting its practical impact by creatively adjusting Danish immigration law in light of developing international jurisprudence, therefore facing a procedural risk.”¹¹⁰.

This situation could be very problematic if Denmark is found to be acting in violation of the human rights, thus affecting the country’s image, as well as, that kind of conflict can take years to be resolved at the supranational level.

While ghettoization laws remain unproblematic at the eyes of the of international courts, and taken into consideration that in previous cases the sale of public social housing to private investors was approved along with demolition plans, it is fair to say that the residents of Mjølnerparken will like face the same fate.

Plus, despite moving the issue out and into the international arena, as explained above, it is likely that they will take any action, as Denmark follows the Danish laws so, the UN courts cannot make a judgement regarding this situation.

¹¹⁰ Gammeltoft-Hansen, 2014.

Q8: There is a new proposal on the table to make amendments on the above mentioned policies – what are the problems represented to be?

Considering the above mentioned ghetto policies, there is a recent new development on the horizon. The government has yet to approve the new proposal but, once approved, the following amendments will be made:

- there will be a maximum of only 30% residents with a non-Western background in all ghetto residential areas within 10 years;
- 25% of the housing stock in new residential areas will be up for demand, in order to be used for public housing;
- municipalities with vulnerable housing areas will have the right to allocate every 10th vacant home in larger private rental properties;
- eradication of the word “ghetto” in future legislation and its replacement with the concept of “parallel societies”
- launching of new concepts and categories: “prevention areas” and “transformation areas” (the latter aims to replace the designation of hard ghettos and the former, relates to the places that are at risk of becoming vulnerable).
- 58 prevention areas are listed, which are to be taken care of, before they become transformation areas
- it will take five years instead of four, before an area becomes a hard ghetto;
- mandatory flexible rents will be in place, as it will be possible to place restrictions on the right of exchange and subletting
- municipalities will not be able to assign social housing to these areas if the families are reliant on state benefits, have received a sentence, or are citizens of a non-western country;
- only people who work, study, have an apprenticeship and a gross income can be on the waiting list for renting in prevention areas

In regards to this new development, I would like to make a few considerations in comparison with the current laws. Indeed, ghettoization policies are long due for a change since, according to the Minister of Transports and Housing: “the composition of these areas is still too skewed” and he believes that “the country has not done well enough in solving these social issues, given that measures have been put in place for many, many years and to this day, their rate of success is still being discussed”.

Nonetheless, still with this new proposal, a huge number of these social residential areas is compromised, given that the people will have to move. However, as previously discussed, the question remains, where will all these people move given that the housing market is so tight, with very few opportunities available for cheap renting.

Not only that, but there will be a high demand for renting in the older, as well as in the newly built complexes. This consequently means that the waiting lists for renting in these areas will be torturously long, unless more houses are built.

Hopefully, the government has the necessary tools to take care and better integrate such high influx of people, in order to achieve their dream of a proper mixed city, with a strong united welfare society. Honestly, I believe it has, given that, municipalities will have access to allocate housing in the private rental sector.

Thus, the government proposes that municipalities enter into agreements with private landlords who want to make part of their flats available to the municipality to solve societal issues, like the formation of parallel societies. Plus, they would be making a profit off of it and their properties would not be stagnant, risking deterioration.

On the other hand, it is quite possible that some landlords would fight over this measure and create unnecessary disputes. Yet, the government presented a brilliant response.

If the private landlords do not voluntarily enter into agreements with the municipalities then, the government will give the municipalities the right to forcefully assign residents to every 10th vacant home, over the will of the landlord.

Concerning another matter, I do question the current percentage of 40% along with the new one, of 30%. How is it possible to define the concept of a mixed city through a parameter such as a percentage? For this, I have no answer, but I do believe that it still poses a tightening measure to eliminate current parallel societies.

On a different note, this new revision of the law still sorts people out through the criteria of ethnicity, employment, income and crime, by denoting who is allowed to rent and how many are allowed to congregate in a certain area.

Regardless, and contrary to the opinions of many, I believe that this could very well be a much more successful immigration policy.

And, even though a target group is pointed out, whether it is considered a minority or not, it is widely known that when many non-Western immigrants and their descendants settle in certain residential areas, it automatically increases the risk of religious and cultural parallel societies emerging, which, as mentioned before, is very damaging to the core of the Danish society traditional norms and values.

Finally, the biggest positive aspect of this new proposal deserves to be highlighted, which brings me to the conclusion that there is a big improvement if this proposal is approved, as it is less discriminatory and will have a lesser negative sociological impact on the residents living in cheaper vulnerable, preventive or transformation areas.

Hence, the creation of these new concepts/categories has its merit, since the government decided to hear the people and correct previous mistakes, like the use of the word ghetto. It has been decided that this word has a high negative impact in the way that it is a stigmatizing term, which has to simple be written out of all legislation concerning immigration and integration.

The role and influence of the national civil servant in policy-making

The following section which is also my final chapter aims at clarifying the role of a national civil servant, as well as their influence in the process of policy-making, along with an insight into how the transference of power occurs between key actors.

This chapter was devised, due to the fact that, as mentioned in previous sections, both the Housing and Transports Minister, as well as, the local police directors of the municipalities have a very relevant and powerful role when it comes to the application of policies regarding ghettos.

Yearly, civil servants assess areas within the municipalities and define some of them, as ghettos, according to the legal requirements as demonstrated in the legislation above mentioned. They can also define them as increased punishment zones, as well as, approve potential plans for demolition, in order to restructure and rehabilitate the public social housing areas.

Therefore, it is important to not only study the role of these actors in creating new policies, but also to understand how can an administrator implement such laws when these obviously create conflicts due to the negative impact they have on the community, and especially on the people living in ghettos.

The role of the national civil servants in Denmark & the Meta-governance model

The Danish civil service used to fundamentally resemble a Weberian type of bureaucracy¹¹¹, as civil servants could only be hired based on their professional and managerial merits but not on their political affiliation. However, much as changed since then, as not only this method changed with the allowance of experts and special advisors in the central administration, but so did the role of the municipalities.

¹¹¹ Christensen, 2004.

In 1988, Denmark ratified a Charter on Local Self-Government¹¹². Thus meaning that, municipalities are protected by Danish Constitution (Art.º 82) which confirms their right “to manage autonomously their affairs under the supervision of the State”¹¹³.

Moreover, it established the principles of the “democratic way of functioning of the communities, by transferring competences to local communities, also accompanied by a transfer of financial resources. This principle, known as the principle of subsidiarity, allows for the de-centralization of power towards the level closest to the citizens”.¹¹⁴.

According to Sørensen, it was the New Public Management reform that causes the Danish municipalities becoming meta-governors in the local communities, with actors such as, governing local institutions, associations, firms and networks operating with full autonomy, on the basis of self-regulation, as mentioned earlier¹¹⁵.

Additionally, this movement paved the way for a very important cooperation and coordination of efforts between public authorities and the private sector which led to the formation of a plurality of national and local governance networks, as well as a potential bargain over goals and policies¹¹⁶.

Hence, through their newly found roles and features, (especially nodality) public civil servants can now join forces with private actors, in order to find solutions for problems more efficiently, by sharing their resources, knowledge and expertise.

Consequently, this huge interplay between networks and hierarchy¹¹⁷, eventually transformed the institutions and its actors, by changing the role of public authorities, now as meta-governors, as well as their preferences, which are affected by the institutions, as explored earlier on, regarding the different institutionalist theories.

Nevertheless, the term “meta-governance” can be quite misleading, as one could think that, municipalities actually govern, a fact which is not necessarily true. Instead, it is the upper level of the government that coordinates how all the different actors collaborate together.

Ministries, as well as their agencies are still in control of the purposes, aims, frameworks and organization, since they make use of regulative forms of governance (legislation, regulations, economic frameworks, etc.)¹¹⁸, while setting the goals and

¹¹² Council of Europe, 1998.

¹¹³ Greve, 2012.

¹¹⁴ Council of Europe, 2010.

¹¹⁵ Sørensen, 2006:100.

¹¹⁶ Skelcher, 2011; Evans, 1995.

¹¹⁷ Sehested, 2003:11.

¹¹⁸ Scott, 2014.

monitoring the outcomes. Therefore, meta-governance involves implementing financial and legislative frameworks and initiating discursive governance.

However, for some areas of responsibility they have delegated the decisions on how to achieve goals and outcomes, to lower-level agencies and to institutions. Thus meaning that, municipalities do not govern, but coordinate instead, which is a very common governance structure in Denmark.

And, while the Danish municipal directors gave high priority to political advice in the past, in comparison to the daily administration, this perception of the role is still pretty much in vogue¹¹⁹. Truthfully, the roles of politicians and officials in today's municipalities tend to overlap a bit. But why is this subject relevant for this study?

Firstly, it is relevant because the Danish civil service in order to work, it needs to have the legitimacy and confidence from the public opinion¹²⁰. Thus leading to the conclusion that, those civil servants act through the power conferred to them by the people, and in return, the majority of the people agrees with dismantling the ghettos and consequently with a gentrification strategy¹²¹.

On the other hand, some also argue that the gradual transformation of the Danish society into a multiethnic one, poses a challenge to the civil service as well as to the politicians. Since, the management of such a big diversity is excessive weighing on the agenda-setting¹²².

Secondly, this is particularly relevant when referring to the restructuring of the ghetto areas through the demolition of the social housing complexes.

As mentioned before, this kind of social housing is a very popular option in the Danish housing sector, since it is one of the cheapest options available for those who cannot buy a property or live in central hot spots.

However, these places face a serious risk. As analyzed, if an area remains on the ghetto list for four consecutive years, a considerable fraction of the local apartments must be torn down¹²³. Thus, this threat prompts the public housing associations to do everything they can within their power, in order to avoid being part of the ghetto list, as it is in their best interests.

¹¹⁹ Ejersbo, Niels, Hansen & Mouritzen, 1998.

¹²⁰ Derlien & Rouban, 2008.

¹²¹ Smith 2002, Lees, 2016,

¹²² Hansen, 2013.

¹²³ *Regeringen*, 2018.

Consequently, these housing associations appear to be more interested in staying well-organized and providing attractive housing opportunities, but only for a specific group of people, as opposed to offering proposals to “non-Western immigrants and descendants”, who, at a bigger scale constitute a requirement for the formation of ghettos and parallel societies. Therefore the municipality plays its role as a meta-governor, by supervising this sector, in coordination and with the collaboration with housing associations, who in turn, also make sure they do not fall on the list¹²⁴.

Moreover, it is agreed that the new public reform and this new way of governance (meta-governance) definitely improved the civil servants’ role by empowering and enabling them to form resourceful cooperation with private actors.

However, I believe that this partnership may have unintended consequences like a possible facilitation in the approval of the plans to demolish an area, based on a conflict of interests and the actors’ hidden agendas. Demolition as an outcome seems like a very good renewal of the urban structures, but as previously explained, it may have a terrible impact on the people.

Concluding, the governance systems set in place, regarding urban planning and its strategies “are ripe with steering paradoxes, power imbalances and contradictory forces” and “only reflexive, hard-working civil servants who wish to deal with such steering problems must develop their meta perspective”, in order to “manipulate system boundaries strategically, to solve immanent governance dilemmas, and, ultimately, to improve goal implementation and reduce coordination costs”.

The role of the national civil servants in Denmark – a practical approach

In Denmark, a Code¹²⁵ was made with the intention to help guide actors in the central administration, by introducing their specific roles and duties as civil servants. This code describes seven key responsibilities, which relate to matters of advising and assisting the government and its ministers.

¹²⁴ Le Cour, 2012.

¹²⁵ Seven key duties for civil servants in central government – Code VII Ministry of Finance, September 2015.

The government, consists of ministers who are accountable to the *Folketing*, and who must have legitimacy, which is acquired by the majority of voting.

As stated in the Code, “officials in the central administration work in a politically led organization, where the minister is the chief executive, and where the minister is at the same time a member of a government and responsible to the *Folketing*.” Consequently, the Minister has the power to instruct the civil servant.

Therefore, civil servants must assist advising and providing technical assistance to the government and its ministers within the framework of laws, as they must not act in violation of the Constitution or any other legislation in general, including the EU law. If in doubt on how to proceed, they are also encouraged to seek help from their superiors, which points out to a high level of communication, trust and transparency in the process.

Tasks of civil servants (officials) with advice and assistance to ministers:

- The drafting of bills to be submitted to the Folketing.
- Assistance in answering oral and written questions from the Folketing and in drafting answers when the minister is required to attend a consultation in a committee of the Folketing.
- Assistance in handling negotiations on government proposals with the political parties of the Folketing.
- Continuously briefing the minister on matters of relevance to the minister’s work, including matters within the ministry’s remit that may be improved.
- Assistance in preparing new political initiatives, including material for written and oral presentations thereof.
- Assistance for the minister’s participation in the government’s internal work, including the coordination taking place between ministers.
- Assistance for political announcements, debates with the opposition and interviews on the minister’s policy.
- The implementation of decisions made by the minister, of bills passed, etc. and taking steps to monitor whether the objectives of the legislation are attained.
- Assistance in drafting speeches which the minister is to give in the Folketing, at debates and at events with, for example, interest groups.
- Assistance in handling – and participating in – international negotiations and meetings.
- Assistance in answering queries from the press, citizens, companies, etc.
- Assistance in answering questions, etc. from Rigsrevisionen (Danish national audit office) and the Danish Parliamentary Ombudsman as part of their supervision of the ministries.
- Handling of cases as part of the administration of the legislation and appropriations within the remit of the ministry in relation to, for example, other public institutions, citizens and companies.
- Scrutiny and evaluation of existing legislation.
- Meetings with and supervision of the institutions subordinate to the ministry

Tasks of civil servants (Ministers):

- The minister has a political role as a member of a government that must develop its policy and see to its implementation.
- The minister has an administrative role in administering the legislation and appropriations within the minister’s remit.

In order to perform these tasks efficiently, these actors must have the necessary skills, which include: “professional insight, ability to articulate, interest in societal issues, understanding of political decision-making processes, understanding of political communication, ability to think new and creative, good judgment and ability to provide advice that includes both participation and opposition”.

In short, civil servants must execute their tasks, while abiding by seven key duties which are:

- ♣ Legality
- ♣ Truthfulness
- ♣ Professionalism
- ♣ Development and cooperation
- ♣ Responsibility and management
- ♣ Openness about potential errors/mistakes
- ♣ Party-political neutrality

Despite belonging to an institution and being potentially influenced by it, these actors still have this code of conduct, which must be obeyed, in order to guarantee transparency in the process of policy-making. During it, they must assume and maintain a neutral position in relation to the political parties, as well as, base their decisions on the recommendations of experts¹²⁶.

¹²⁶ Berg, Rikke & Ulrik Kjær, 2005.

Conclusions

This thesis examined the issues pertaining to the ghetto legislation, along with their sociological impact on the people living in the areas encompassed by the law. Moreover, an investigation was conducted on how ghetto policies can *de facto* constitute a paradox when it comes to matters of integration, as a particular ethnic minority is being singled out and blamed for the formation of parallel societies, which also has proven to be troublesome, since it creates a division in society – a “threat and a burden for social and economic cohesion” – according to Danish government.

The legislation created to solve this issue, was based on the logic of not only protecting the country’s sovereignty, cultural identity, traditional values and norms, but also to securing and impeding the increase of the rate of crime, unemployment and poor education. In this regard, a question arises whether the law demands that immigrants should integrate or in reality assimilate in society.

As demonstrated in the analysis, the legislation and its impacts, could have severe consequences for the people, as it could impede them to respect or maintain their culture of origin or are sanctioned if they do not provide an education according to the Danish standards. This especially observed in children or adolescents, since who have to attend mandatory daycare and school programs. This could lead to further isolation or an identity vacuum, facts which have been observed and taken into consideration as a new threat to the modern world, since many children could easily be converted and forced to conduct terrorist attacks.

My analysis does not intend to promote the defense of any sides of the issue at hand. I merely wanted to clarify and consolidate some of the central aspects of the problem, by focusing on the issues of relevance, pertaining both sides (people *vs* government) while at the same time, allowing the reader space for critical thinking.

In my analysis, I denote the use of concepts such as: “ghettos” or even “parallel societies”, which are present not only in the political discourse, but also in the legislation pertaining to solve ghetto related issues. Despite the governments’ allegations on the success of said laws, my literature review led me towards serious sociological debates and ethical considerations.

According to other researchers, not only these areas in Denmark could hardly be considered “ghettos”, but the use of such expressions could prove to be inciting forms of

“othering”, through discrimination, inequality and the creation of stigmas which could further ostracize people and promote social vulnerability and create a self-fulfilling prophecy that said areas are really unattractive and even dangerous, since there is also a law which specifies double the punishment for certain crimes occurred in these areas .

The governments’ dichotomic claims led not only, to an exacerbated negative coverage from the media but also, to the creation of legislation where a specific group of people is targeted: “non-Western immigrants and descendants”. This ethnic minority, by being correlated to the word “ghetto”, one cannot help but think back on the history of said word, of the segregated Jews.

The negative connotations around it, are simply too strong to ignore and by exhausting the word myself throughout this thesis, I meant in no way, shape or form to support or promote it, as I merely wanted to stick with the original translation of my empirical data.

Thus, the use of this kind of terminology and the way this minority is being represented, could affect negatively the perception towards the people living in these areas, as well as their everyday life, as it was demonstrated. Hopefully, the governments’ new proposal, which will likely be approved, will have a better impact in the future, as the word will be permanently abolished and, instead will be replaced with “vulnerable areas” in the legislation.

On the other hand, the idea that certain deviant parts of society should be subjected to a gradual demolition of public social complexes, in order to end the formation of parallel societies, is a questionable rationale. Many of these people who “clump” together, do it due to their, lack of economical capacity, harsh and competitive housing market along with higher prices when it comes to private renting. Then who is the government really renovating for, since these people will not be able to afford it.

Therefore, the question remains whether ethnic minorities do, in fact form parallel societies, and, if that is the case, whether they do it simply out of necessity. Also, it appears to be very debatable whether scattering people throughout many areas, by demolishing their previous residences can prevent the emergence of parallel societies, especially considering the current pandemic, which could make matters worse.

Concluding, real integration requires the dual attention and respect of both parties in question, with especial regards to those who are hosted in a country.

As a guest myself in this country, I realize that certain aspects of the legal framework appear to be, sometimes a necessary evil, as laws cannot always appease to

everyone in a society. However, legislation still plays a key role in tackling societal issues and is central in building a vision of a better society.

Regarding the actors political discourse, including civil servants, I believe that it should not be restricted in any case, as I value the idea of living in a society where one could practice full freedom of speech.

However, in the present case, it seems promising that the government is proving to be attentive and sensitive to this subject, as it is making plans to amend the existing legislation, especially in regards to the use of potentially harmful concepts which can contribute to singling out people who belong to minority groups. Also, another promising aspect is the empowerment of the civil servants who, now have a greater mandate and are allowed to have more autonomy while making decisions, a fact which allows for better cooperation and coordination between actors in the municipalities, as a building bridge towards the families in need.

There is no perfect society, much like there are no perfect people, so the idea of trying to create the perfect system and legislation which can appease to everyone, while having no social implications at all, illustrates a mere utopia.

Nevertheless, experiences and efforts that were made, so far in terms of creating legislation, may be consist in a good basis for further developments in regards to both, legal and social aspects of this persistent problem.

“I don’t believe in villains or heroes, only in right or wrong ways that individuals are taken, not by choice, but by necessity or by certain still uncomprehended influences in themselves, their circumstances and their antecedents”

Tennessee Williams

Bibliography

Agius, C. (2013): *Performing identity: The Danish cartoon crisis and discourses of identity and security*.

Agius, C. (2017): *Drawing the discourses of ontological security: Immigration and identity in the Danish and Swedish cartoon crises*, Cooperation and Conflict, 2017 Vol. 52(1), 109-125, DOI: 10.1177/0010836716653157

Alves, S. (2019): *Nuancing the international debate on social mix: evidence from Copenhagen*

Alternative report on Denmark 2020 to UN's Committee on the Elimination of Racial Discrimination
<https://globalaktion.dk/wp-content/uploads/2020/09/ENG-CERD-Report-on-the-ENAR-Project-2020.pdf>

Anderson, B. (1991): *Imagined Communities: Reflections on the Origins and Spread of Nationalism*.

Andreassen, R. (2007): *Der er et yndigt land - Medier, minoriteter og danskhed*. Tiderne Skifter.

Balle, M. - The Evolution and Challenges of the Danish Civil Service System Hansen,

Bendixen, M. (2018): *Denmark's 'anti-ghetto' laws are a betrayal of our tolerant values*.

Best, 2016 - Constructionist Social Problems
 Theory <https://www.tandfonline.com/doi/abs/10.1080/23808985.2013.11679134>

Babbie, Earl (2014): *The basics of social research*, Wadsworth: CENGAGE Learning, ch 5: 'Conceptualization, Operationalization, and Measurement'

Babbie, Earl (2014): *The basics of social research*, Wadsworth: CENGAGE Learning, pp. 186-194: The logic of sampling

Bacchi, C. (2009), *Analysing Policy: What's the problem represented to be?*

Bacchi, C. (2012). Introducing the 'What's the Problem Represented to be?' Approach. *Engaging with Carol Bacchi – Strategic Intervention and Exchanges*.

Bacchi, C.& Goodwin, S. (2016), *Poststructuralist Policy Analysis –A Guide to Practice*. DOI 10.1057/978-1-137-52546-8.

Banakar, (2011): *The sociology of law*

Barreto (2018): *Contextualising Boaventura de Sousa Santos's post-colonial legal theory - Reviews on Boaventura de Sousa Santos , Toward a New Common Sense:*

Law, Science and Politics in the Paradigmatic Transition <https://www.cambridge.org/core/journals/international-journal-of-law-in-context/article/contextualising-boaventura-de-sousa-santos-postcolonial-legal-theory-reviews-on-boaventura-de-sousa-santos-toward-a-new-common-sense-law-science-and-politics-in-the-paradigmatic-transition-new-york-routledge-1995/3B101FE67F90DCF0441047C7E36D8C05>

Boaventura de Sousa Santos (1987): **Law: A Map of Misreading. Toward a Postmodern Conception of Law**
https://estudogeral.sib.uc.pt/bitstream/10316/42225/1/Law_A%20Map%20of%20Misreading_Toward%20a%20Postmodern%20Conception%20of%20Law.pdf

Boaventura de Sousa Santos (2014): O Direito dos Oprimidos

Boaventura de Sousa Santos: The Counter-Hegemonic use of Law in the Struggle for a Globalization from Bellow
[file:///Users/catia.vilas-boas/Downloads/1035-Texto%20de%20art%C3%ADculo-1757-1-10-20130712%20\(1\).pdf](file:///Users/catia.vilas-boas/Downloads/1035-Texto%20de%20art%C3%ADculo-1757-1-10-20130712%20(1).pdf)

Boaventura de Sousa Santos (2014): Direitos Humanos, Democracia e crescimento
<http://www.boaventuradesousasantos.pt/media/Derechos%20Humanos%20Democracia%20y%20Desarrollo.pdf>

Boaventura de Sousa Santos (2020): *A New Vision of Europe – Learning from the Global South*
http://www.boaventuradesousasantos.pt/media/BSS_A%20new%20vision%20of%20Europe.pdf

Boaventura de Sousa Santos (2020): Towards a New Legal Common Sense

Chatzopoulos, I. (2019): *Sport Policy, Citizenship and the Social Integration of Immigrants in Denmark* (Thesis).

Christensen G. J. (2013): *The division of labor between politicians and officials*

Christensen, A-D., & Jensen, S. Q. (2011). *Roots and routes: migration, belonging and everyday life*. Nordic Journal of Migration Research, 1(3), pp.146–155.
 DOI: <http://doi.org/10.2478/v10202-011-0013-1>

Danish Institute for Human Rights, 2019. Human Rights in Denmark 2019, Copenhagen

Eika, J. (2019): *Derfor handler deportationslejrene og ghettoplanen om kolonialisme og racisme*.

Engberg, L. (2010): *Context-Orientated Meta-Governance in Danish Urban Regeneration*

Ejrnæs, M. (2002): *Etniske minoriteters tilpasning til livet i Danmark – forholdet mellem majoritetssamfundet og etniske minoriteter*.

- Foucault, M. (1991): *Politics and the Study of Discourse*
- Gammeltoft-Hansen & Scott Ford (2021): *An Introduction to Danish Immigration Law*, iCourts Working Paper Series, no. 234, 2021
- Gilroy, P. (2000): *Between Camps: Nations, Cultures and the Allure of Race*
- Griffiths, J. (2017): *What is sociology of law? (On law, rules, social control and sociology)*, *The Journal of Legal Pluralism and Unofficial Law*, 49:2, 93-142, DOI: 10.1080/07329113.2017.1340057
- Hall, P., & Taylor, R. (1996). *Political Science and the Three New Institutionalisms*
- Hall, S., (1997): *Representation Cultural Representations and Signifying Practices*
- Hafez, M. (2015): **The radicalization puzzle: a theoretical synthesis of empirical approaches to homegrown extremism**
- Hansen, M. B. (2013): *The Evolution and Challenges of the Danish Civil Service System* - <https://vbn.aau.dk/en/publications/the-evolution-and-challenges-of-the-danish-civil-service-system>
- Hervik (2015): *Race, "race", racialisering, racisme og nyracisme.*
- Hervik (2019): *Racialization in the Nordic Countries: An Introduction Peter.*
<http://www.peterhervik.dk/wp-content/uploads/2019/03/Introduction-Hervik-2019.pdf>
- Horst, C., & Gitz-Johansen, T. (2010): *Education of ethnic minority children in Denmark: monocultural hegemony and counter positions*
- Huysmans, J. (2000): *The European Union and the Securitization of Migration*, *Journal of Common Market Studies*, Vol. 38, No. 5, pp. 751-77, December 2000, [online] Available at URL: <https://doi.org/10.1111/1468-5965.00263>
- Huysmans, J. (2014): *Security unbound: Enacting democratic limits.*
- Hydén, Håkan & Wickenberg. (2008): *Contributions in Sociology of Law*
<https://portal.research.lu.se/ws/files/4112677/1232129.pdf>
- Jensen, S. (2011): *Othering, identity formation and agency.*
- Jensen, S. (2012): *Territorial stigmatization and local belonging.*
- Jensen, S. (2016): *The complexity of neighbourhood relations in a multiethnic social housing project in Copenhagen*
- Jønsson & Petersen K, (2013): *From a 'social problem' to a 'cultural challenge' to the national welfare state: Immigration and integration debates in Denmark*

- Kettunen (2012): Reinterpreting the Historicity of the Nordic Model
<https://doi.org/10.19154/njwls.v2i4.2303>
- Kildal & Kuhnle (2005): Normative Foundations of the Welfare State: The Nordic Experience
- Knill & Bauer, (2016): Policy-making by international public administrations: concepts, causes and consequences
- La Cour & Højlund H. (2017): *Polyphonic Supervision— Meta-governance in Denmark*; DOI: 10.1002/sres.2449
- Larsen, T. S., (2014): *Copenhagen’s West End a ‘Paradise Lost’: the political production of territorial stigmatization in Denmark.*
- Larsen, T.S (2018): **Advanced Marginality as a comparative research strategy in praxis: the Danish “Grey Belt” in conversation with the French “Red Belt”**
<https://doi.org/10.1080/02723638.2018.1440124>
- Lichterman & Dasgupta (2020): *From Culture to Claimsmaking*
https://dornsife.usc.edu/assets/sites/888/docs/Lichterman-Dasgupta_Culture_to_Claimsmaking.pdf
- Matthiessen (2009): Immigration to Denmark An Overview of the Research Carried Out from 1999 to 2006 by the Rockwool Foundation Research Unit
<https://www.rockwoolfonden.dk/app/uploads/2015/12/WEB-The-immigration-to-denmark.pdf>
- Mechlenborg, M. (2019) **Reintegrating ghettos into society: Lessons learned from the Danish ghetto strategy** - <https://vbn.aau.dk/en/publications/reintegration-af-ghetto-i-i-samfundet-erfaringer-fra-den-danske->
- Mouritsen, P. & Olsen, T.(2013): *Denmark between liberalism and nationalism. Ethnic and Racial Studies*, https://cadmus.eui.eu/bitstream/handle/1814/32020/INTERACT-RR-2014_06.pdf?sequence=1
- Olsen, (2005): Maybe It Is Time to Rediscover Bureaucracy
 doi:10.1093/jopart/mui027
- Olwig, K. (2011): “‘Integration’: Migrants and Refugees between Scandinavian Welfare Societies and Family Relations”
- Olwig, K. & Paerregaard, K. (2011): “Strangers in the Nation” in “The Question of Integration: Immigration, Exclusion and the Danish Welfare State”
- Özkirimli, U. (2010): *Theories of Nationalism: A Critical Introduction.*
- Pace, M. (2018): **Overcoming bordering practices through the arts: The case of young Syrian refugees and their Danish counterparts in Denmark**
 DOI:10.1080/14650045.2017.1383385

- Peters, B. (2012): Institutional theory in political science: the new institutionalism.
- Mikkel Rytter (2019): **Writing Against Integration: Danish Imaginaries of Culture, Race and Belonging**, *Ethnos*, 84:4, 678-697, DOI: 10.1080/00141844.2018.1458745
- Sardinha, J. (2009): “Immigrant Associations, *Integration and Identity. Angolan, Brazilian and Eastern European Communities in Portugal*”
- Seeman, A. (2020): *The Danish ‘ghetto initiatives’ and the changing nature of social citizenship, 2004–2018*
- Simonsen, K. (2008) ‘Practice, Narrative and the ‘Multicultural city’, A Copenhagen case
- Simonsen, K. (2016) **Ghetto–Society–Problem: A Discourse Analysis of Nationalist Othering. Studies in Ethnicity and Nationalism**
- Slater, T. (2017): *Territorial stigmatization: symbolic defamation and the contemporary metropolis.*
- Scharpf, (1997): Games Real Actors Play. Actor-Centered Institutionalism in Policy Research. Boulder Colorado, Westview press, pp 36-50.
- Schmidt, S., Heebøl, C., & Kilsdal, L. (2019): *Analyse af boligsalg og - priser i hårde ghettoområder.*
- Smith, Bo - udvalget (2015): *Embedsmandeni det moderne folkestyre*, Jurist – og Økonomforbundets Forlag
- Stenild, K. & Martens, A. (2009): *Integrationspolitikens historie og den integrationspolitiske dagsorden*, Samfundsøkonomen
- Suchman, M., & Edelman, L. (1996): Legal Rational Myths: The New Institutionalism and the Law and Society Tradition. *Law & Social Inquiry*, 21(4), 903–941. <https://doi.org/10.1111/j.1747-4469.1996.tb00100.x>
- Togeby, (2008). The Political Representation of Ethnic Minorities: Denmark as a Deviant Case. <https://doi.org/10.1177/1354068807088125>
- Wacquant, L. (2008): *Urban Outcast -A Comparative Sociology of Advanced Marginality*
- Wacquant, L. (2007): *Territorial stigmatization in the age of advanced marginality*
- Wacquant, L., Slater, T. and Pereira, V. (2014): *Territorial stigmatization in action*
- van Dijk, (2000): *New(s) Racism: A Discourse Analytical Approach*. In Cottle, S (Ed.), *Ethnic Minorities and the Media*
- Vestergaard, H. & Scanlon, K. J., (2014): *Social Housing in Denmark.*

Webpages:

- <https://nyheder.tv2.dk/samfund/2021-02-08-forslag-om-at-afskaffe-ghettolister-skal-nu-behandles-i-folketinget>
- <https://mitnorrebro.dk/lokal-skepsis-over-for-nyt-boligudspil-det-bliver-hammersvaert/>
- <https://fagbladetboligen.dk/alle-nyheder/2021/marts/leder-regeringens-forebyggelsespakke-boliger-og-symboler/>
- <https://fagbladetboligen.dk/alle-nyheder/2021/marts/overblik-det-vil-regeringen-med-nyt-udspil/>
- <https://politikenbyrum.dk/Nyheder/art8147035/Middelklassen-skubber-ofte-de-gamle-beboere-ud-n%C3%A5r-almene-boligselskaber-renoverer>
- <https://bl.dk/politik-og-analyser/analyser-gamle/analyse-flere-ghettoer-som-foelge-af-coronakrisen/>
- <https://www.berlingske.dk/kommentarer/vi-ved-hvordan-vi-skal-hjaelpe-ghettoerne-desvaerre-goer-et-flertal-i>
- <https://www.eftertrykket.dk/2021/04/08/roedder-af-beton-1-3-ghettoer-eller-sampilsramte-omraader/>
- <https://enhedslisten.dk/2021/03/17/regeringens-boligudspil-har-intet-at-goere-med-forebyggelse>
- <https://pov.international/garbi-schmidt-regeringens-ghetto-udspil-mangler-viden/>
- <https://www.dst.dk/da/Statistik/bagtal/2019/2019-02-18-fakta-om-indvandrere-og-efterkommere-i-danmark>
- <http://www.danskekommuner.dk/global/artikelbilleder/2018/dk-3/dk-3-side-18-19.pdf>
- <https://www.brookings.edu/research/islam-as-a-floating-signifier-right-wing-populism-and-perceptions-of-muslims-in-denmark/>
- <https://www.npr.org/2020/08/15/900874510/facing-eviction-residents-of-denmarks-ghettos-are-suing-the-government?t=1604614002015&t=1611836150604&t=1612888194355&t=1617198552330>
- <https://www.theguardian.com/world/2020/mar/11/how-denmarks-ghetto-list-is-ripping-apart-migrant-communities>
- <https://ruc.dk/en/news/flawed-ghetto-policy-focuses-areas-rather-people>
- <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26414&LangID=E>
- <https://www.middleeasteye.net/news/denmark-government-ghetto-discrimination-evictions>
- <https://irr.org.uk/article/denmarks-ghetto-package-discrimination-enshrined-in-law/>
- <https://criticaledges.com/2020/10/31/between-law-and-emancipation/>
- <https://www.nytimes.com/2018/12/20/world/europe/denmark-muslims-handshake-law.html>
- <https://www.altinet.dk/by/artikel/ghetto-forsker-man-skal-vaere-forsigtig-med-genhusning>
- <https://politiken.dk/debat/art5731006/Danske-arbejdsgivere-v%C3%A6lger-%E2%80%99Mads%E2%80%99-frem-for-%E2%80%99Muhammed%E2%80%99>
- <https://videnskab.dk/kultur-samfund/parallelsamfund-er-noget-politikerne-har-opfundet>

Appendix

Table: Primary legislation included in the analysis

Title	Number	Source	Description / notes
Bekendtgørelse af lov om integration af udlændinge i Danmark (integrationsloven)	LBK nr 1146 af 22/06/2020	Link	Law regarding integration of asylum seekers, refugees and immigrants
Bekendtgørelse af straffeloven	LBK nr 1650 af 17/11/2020	link	Danish criminal code. § 81 section c authorizes local police directors to appoint special criminal zones. This amendment to law came about through following proposal 2018/1 LSV 22 B
Bekendtgørelse af lov om dag-, fritids- og klubtilbud m.v. til børn og unge (dagtilbudsloven)	LBK nr 1326 af 09/09/2020	link	§44 sections a through g concerns "Obligatorisk læringstilbud til 1-årige børn i udsatte boligområder"
Bekendtgørelse af lov om almene boliger m.v.	LBK nr 1203 af 03/08/2020	link	§61 a. stk. 1-6 defines what a ghetto is. § 28 stk. 3, 3) gives the housing minister authority to accept proposals to demolish vulnerable housing as per §61
Forslag til lov om ændring af lov om almene boliger m.v., lov om leje af almene boliger og lov om leje	N/a	link	Proposal to change legislation concerning public housing and definitions on Ghettos amongst other things.

List of government policy documents used in the analysis:

- 2019 opposition plan for Denmark "Fair Direction for Denmark" political plan for the incumbent government, at the time opposition coalition: Politisk forståelse mellem Socialdemokratiet, Radikale Venstre, SF og Enhedslisten: Retfærdig retning for Danmark - Folketingsvalget 2019 har givet Danmark en historisk mulighed for at sætte en ny politisk retning: https://www.altinget.dk/misc/Retf%C3%A6rdig%20retning%20for%20Danmark_2019-06-25_ENDELIG.pdf
- 2018 government plan for Ghettos "A Denmark without parallel societies in 2030": Ét Danmark uden parallelsamfund – Ingen ghettoer i 2030: https://www.regeringen.dk/media/4937/publikation_%C3%A9t-danmark-uden-parallelsamfund.pdf

- Government initiative for the making of the ghetto list: RegeRingen ghettoen tilbage til samfundet et opgør med parallelsamfund i Danmark Oktober 2010: https://www.regeringen.dk/media/1215/ghettoen_tilbage_til_samfundet.pdf
- The final Odense city council political agreement on Vollsmose: Den sidste Vollsmoseplan: <https://www.fremtidensvollsmose.dk/wp-content/uploads/2020/04/Den-sidste-Vollsmoseplan.pdf>
- Coalition shadow report to the UN Committee on Economic, Social and Cultural Rights on relevant topics concerning Denmark: https://webcache.googleusercontent.com/search?q=cache:wz_k_1WULsJ:https://tbinternet.ohchr.org/Treaties/CESCR/Shared%2520Documents/DNK/INT_CE_SCR_CSS_DNK_37034_E.docx+&cd=1&hl=pt-PT&ct=clnk&gl=dk

"Seven Central Duties of Officials in Central Administration - Code VII": https://modst.dk/media/16963/kodex_vii.pdf

The Danish Constitution: https://www.thedanishparliament.dk/-/media/pdf/publikationer/english/my_constitutional_act_with_explanations.ashx

Universal Declaration of the Human Rights: <https://www.un.org/en/about-us/universal-declaration-of-human-rights>